

ORDINANCE NO. 428

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS ("CITY") REPEALING AND REPLACING THE ZONING OF REAL PROPERTY FROM CURRENT ZONING AS A PLANNED DEVELOPMENT OFFICE DISTRICT ESTABLISHED IN ORDINANCE NO. 404, TO A PLANNED DEVELOPMENT OFFICE DISTRICT ("PD-OFFICE") AS DESCRIBED HEREIN FOR A TRACT OF LAND BEING APPROXIMATELY 35.139 ACRES, WHICH LAND IS LOCATED GENERALLY NORTH OF HIGHWAY 71 AND WEST OF HIGHWAY 620 AND SOUTH OF BEE CAVE PARKWAY IN THE CITY AND WHICH LAND IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A1"; ATTACHED HERETO (THE "PROPERTY"); APPROVING A TRANSFER OF IMPERVIOUS COVER FROM PROPERTY DESCRIBED IN EXHIBIT "A2", ATTACHED HERETO; APPROVING A CONCEPT PLAN, ATTACHED HERETO AS EXHIBIT "B"; APPROVING DEVELOPMENT STANDARDS DESCRIBED IN EXHIBIT "C", ATTACHED HERETO; APPROVING ARCHITECTURAL ELEVATIONS DEPICTED IN EXHIBIT "D", ATTACHED HERETO; PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE AND MEETING; PROVIDING FOR PENALTIES.

WHEREAS, the Planning and Zoning Commission and the City Council of the City, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held two public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City is of the opinion and finds that said zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended as set forth herein; and

WHEREAS, the development proposed by the zoning applicant complies with the current City Ordinances except as modified by the Planned Development Standards contained in Exhibit "C", or except as otherwise modified herein; and

WHEREAS, any protest made against the proposed change of Zoning Classification has been duly considered by the City Council; and

WHEREAS, Sec. 32.03.015 of the City Zoning Ordinance provides that the purpose of a Planned Development District is to provide for the development of land as an integral unit for single or mixed use in accordance with a Concept Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts, and to encourage flexible and creative planning to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community; and

WHEREAS, the development proposed by the zoning applicant includes uses that have not been previously described in the City's zoning ordinances; and

WHEREAS, this Property is intended to continue to serve as the location for the outdoor music venue named "The Backyard" which business has been enjoyed by residents and visitors to the City alike for many years; and

WHEREAS, the proposed development supports many of the objectives of the City's Comprehensive Plan which calls for Bee Cave to be a unique place that encourages unique types of businesses, particularly in the arts and that is structured for people who live, work and shop within the City with an emphasis on recreational trails, parks and pedestrian and bicycle traffic;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS:

SECTION 1. Findings of Fact. All the above premises are hereby found to be true and correct legislative and factual findings of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. No changes to the City Zoning Ordinance or Zoning Map of the City of Bee Cave, Texas, are required other than to substitute this ordinance number for any previous zoning ordinances effecting the Property.

SECTION 3. Development. The Development Standards applicable to development of this Property shall be as set forth in this Ordinance and the accompanying exhibits, attached hereto and incorporated herein (the "Project") without regard to any previous ordinances and which Development Standards are hereby approved. The City Council would not necessarily authorize development of the Property in accordance with this PDD absent the specific Development Standards set out in Exhibit "C" and the Concept Plan depicted in Exhibit "B". The authority granted by this Ordinance is therefore specific to this Project as it has been represented by the applicants unless this Ordinance is subsequently amended or modified by approval of the City, or unless such changes are expressly authorized by Exhibit "C" to this Ordinance or considered minor modification. Architectural Elevations, described in Exhibit "D", attached hereto, are hereby approved but may be revised or modified as described in Exhibit "C".

SECTION 4. Concept Plan. The Concept Plan, attached hereto as Exhibit "B", is approved for this Project. Any proposed use or development depicted on the Concept Plan shall not be deemed authorized or approved by the City of Bee Cave until a final site plan ("Site Plan") is approved for such use and/or development in accordance with the terms and conditions of Chapter 32 of the Code of Ordinances and the requirements set out herein.

SECTION 5. Uses. All uses described in Exhibit "C", are hereby approved. Permitted Uses associated with Office District zoning are not authorized by this Ordinance unless listed as Permitted Uses in Exhibit "C". Conditional Uses associated with Office District zoning are likewise not authorized by this Ordinance unless listed as a Permitted Use.

SECTION 6. Transfer of Impervious Cover. The Applicant's request to transfer

impervious cover from the property described in Exhibit "A-2" ("Old Backyard Property") to the Property described in Exhibit "A-1" is approved. In addition to use of the impervious cover within the Property described in Exhibit "A-1" the Applicant is authorized to use any excess impervious cover on the Project known as the Terraces located on Bee Cave Parkway east of the Backyard Project.

SECTION 7. Severability. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjusted or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of Chapter 32, Zoning, of the City of Bee Cave Code of Ordinances and Map as a whole.

SECTION 8. Repealer. All ordinances or parts of ordinances in force regarding the zoning of this Property when the provisions of this Ordinance become effective are hereby repealed.

SECTION 9. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Bee Cave, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day of any such violation shall be deemed to constitute a separate offense, in accordance with the City's Code of Ordinances.

SECTION 10. Effective Date. That this Ordinance shall take effect immediately from and after its passage and publication as required by law.

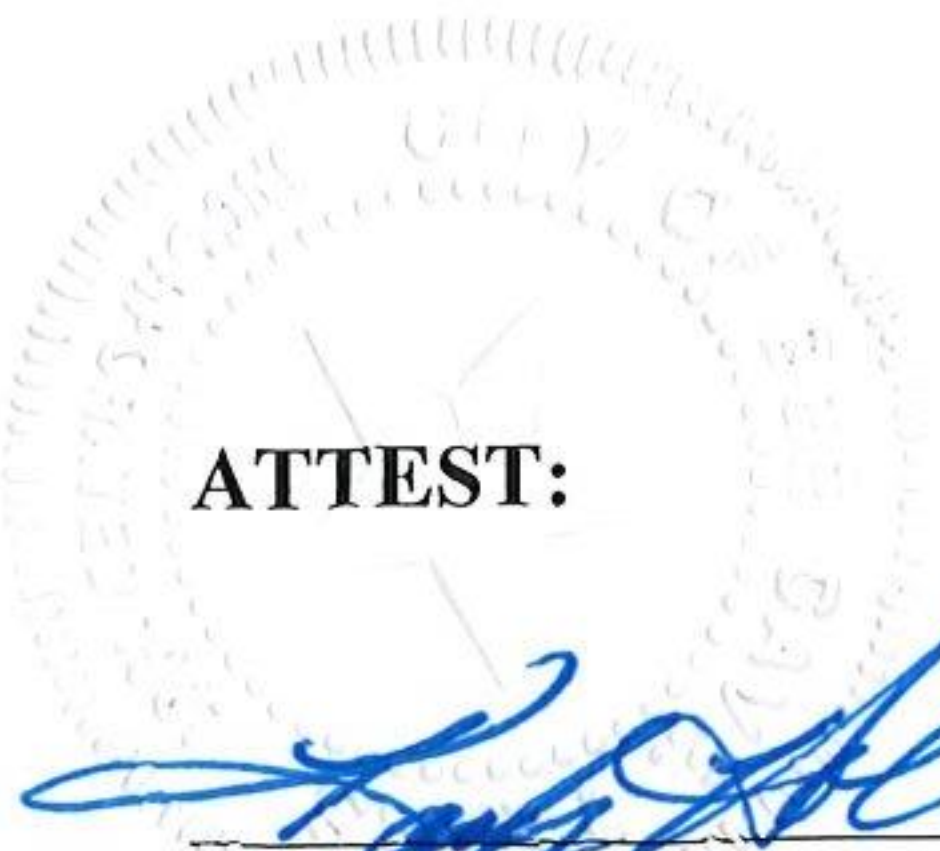
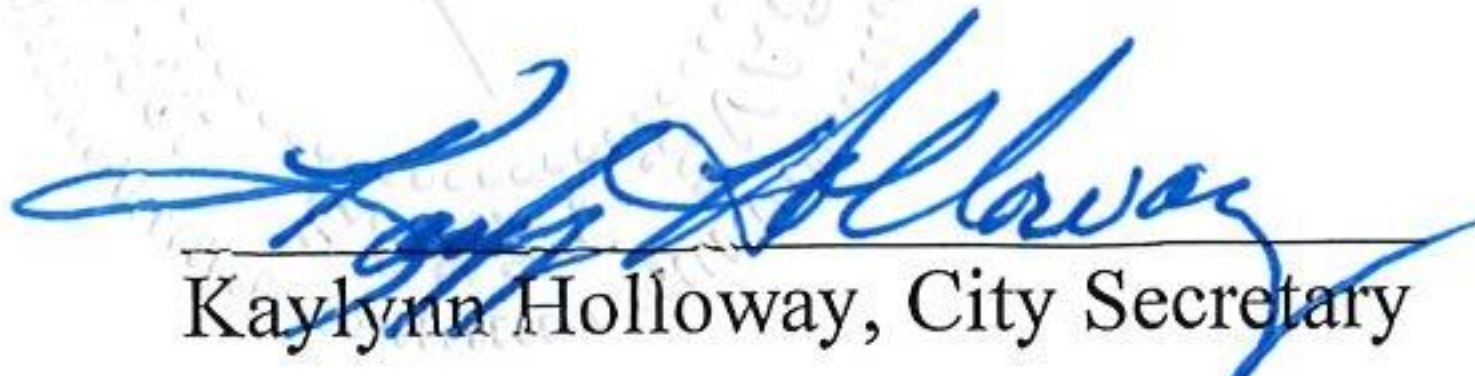
SECTION 11. Notice and Meeting Clause. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED by the City Council of the City of Bee Cave, Texas, on the 26th day of May 2020.

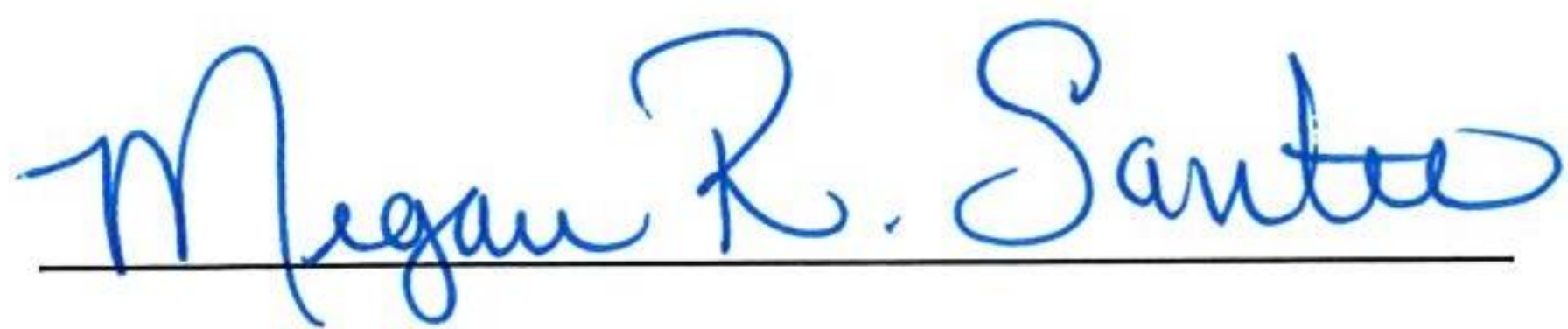
CITY OF BEE CAVE, TEXAS


Kara King, Mayor

ATTEST:



Kaylyn Holloway, City Secretary

APPROVED AS TO FORM:



City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH

EXHIBIT A - 1

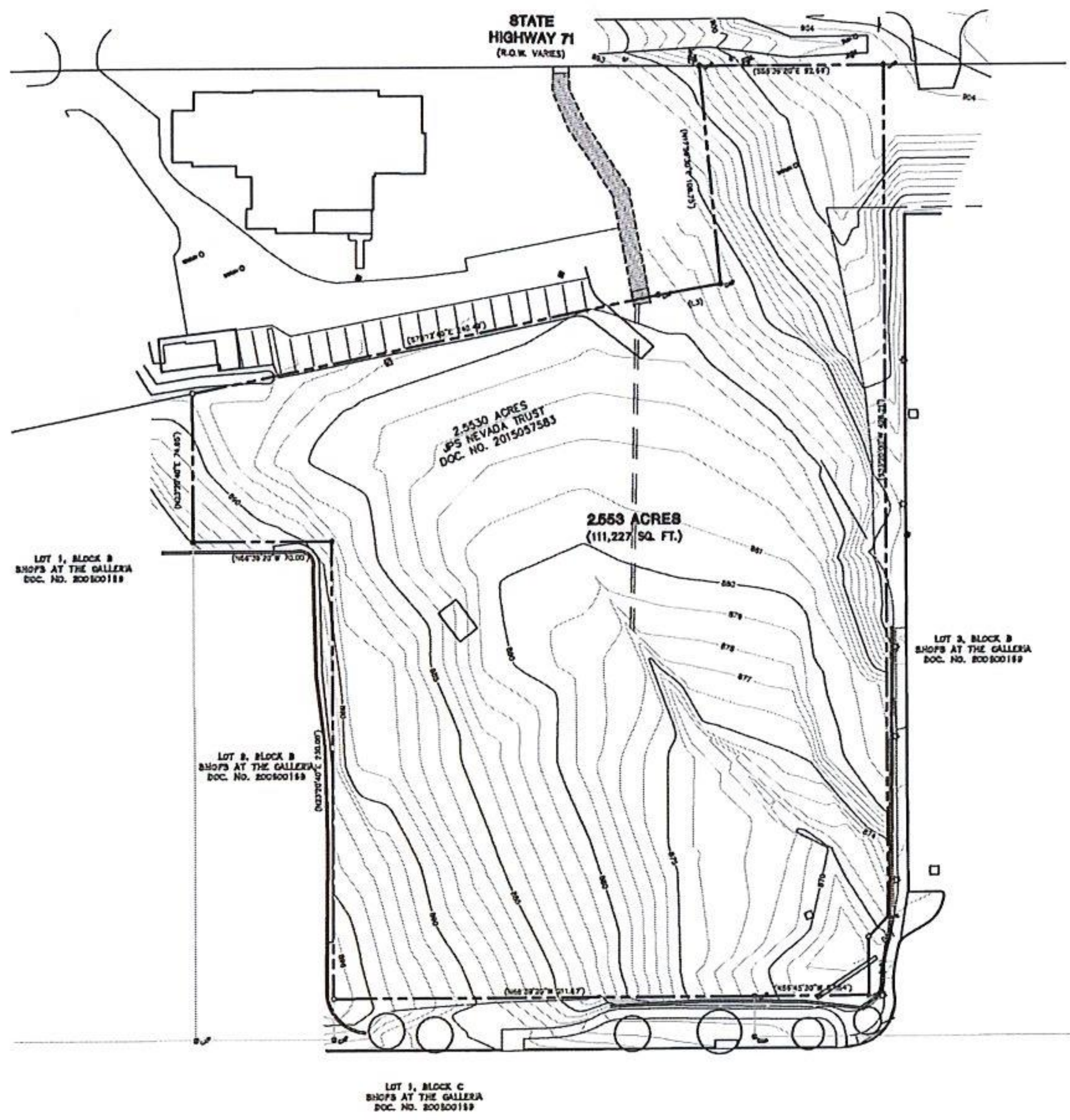
Property Description *Backyard*

Lots 1 and 2, Block A, a Final Plat of Planet Earth Music Subdivision, as
recorded in document number 201000097
of the Official Public Records of Travis County Texas.

EXHIBIT A - 2

Property Description Old Backyard

2.553 Acres
DeJoria Family Trust
Doc #2012031804
O.P.R.T.C. TX



The "Old" Backyard

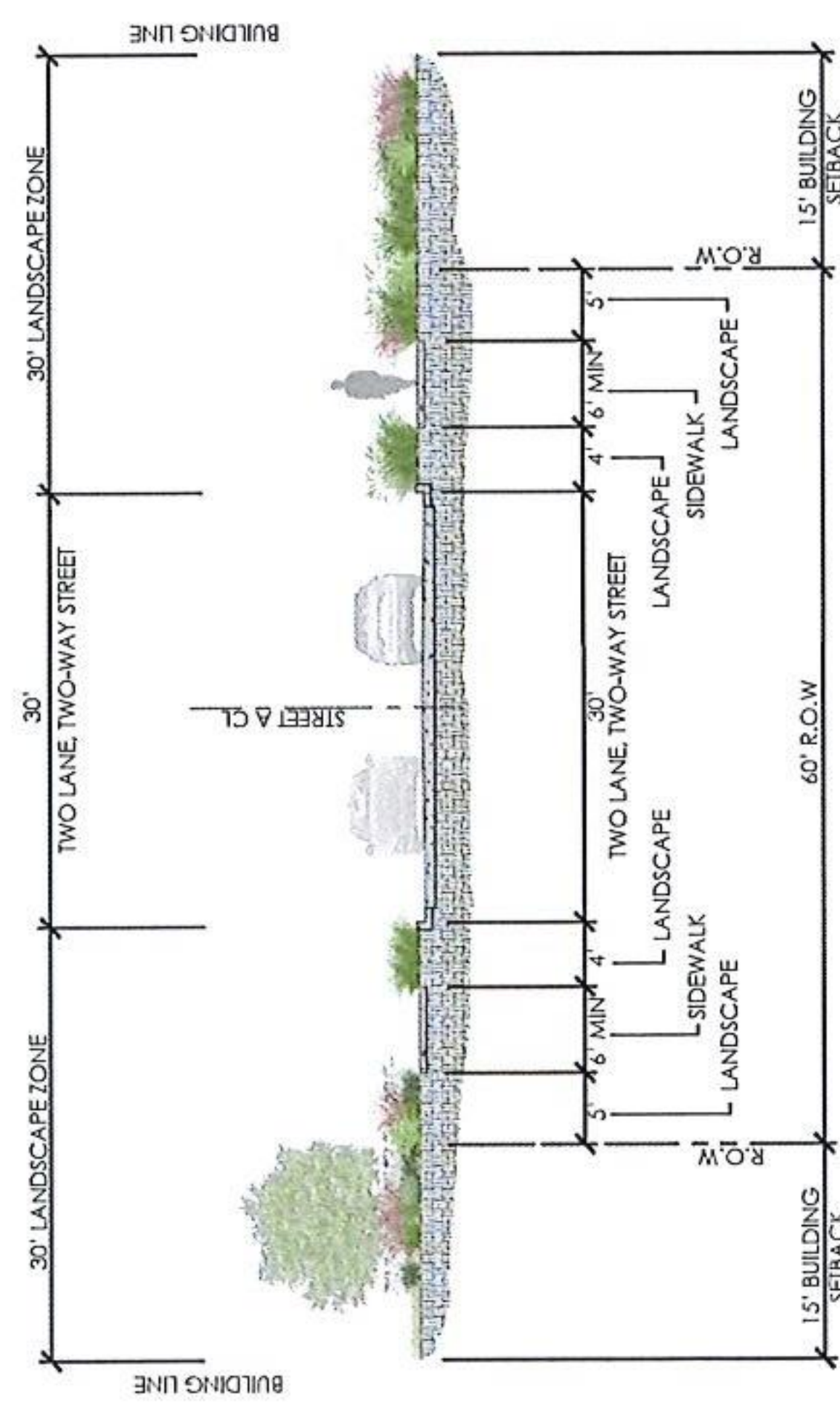
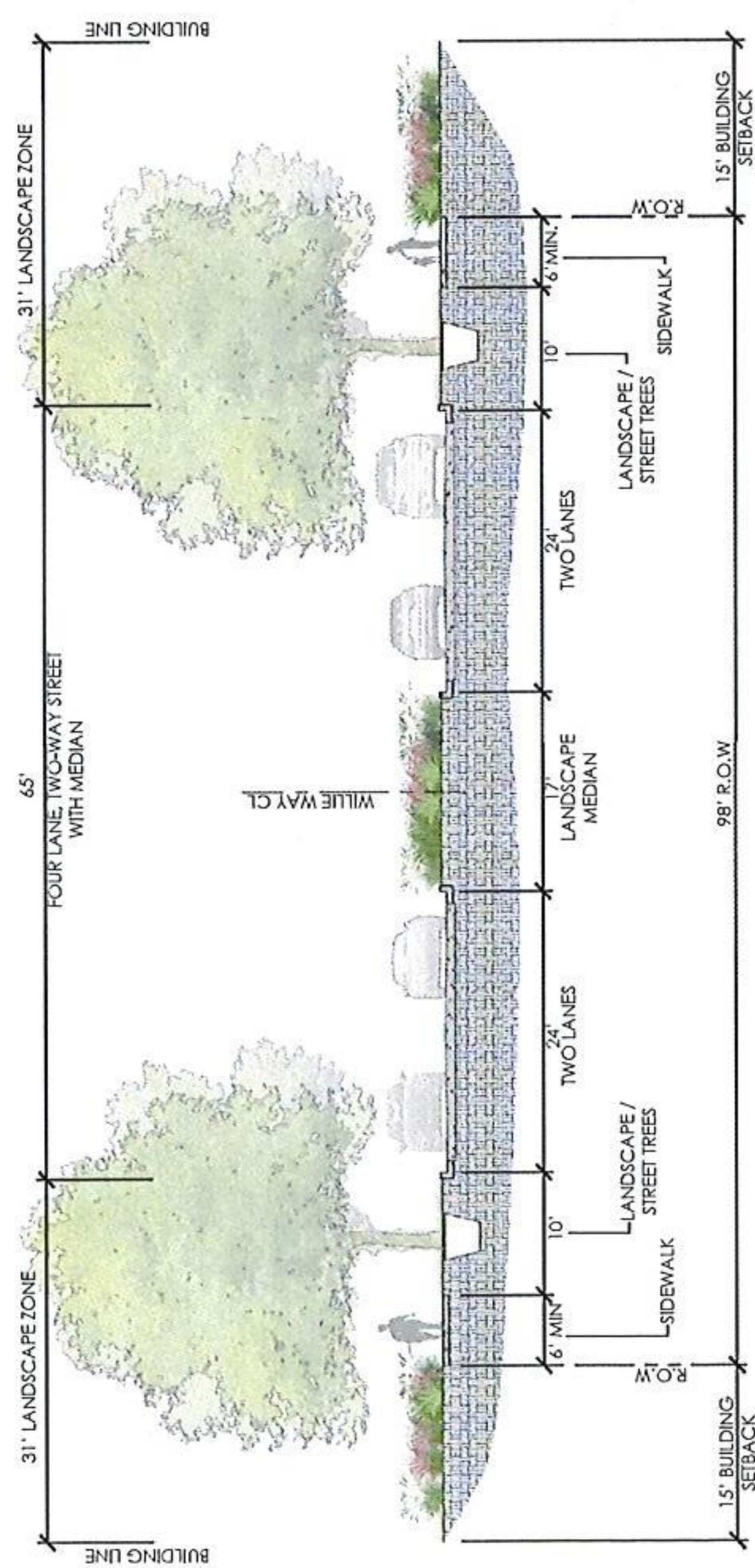
Exhibit B

Concept Plan



Concept Plan

The Backyard



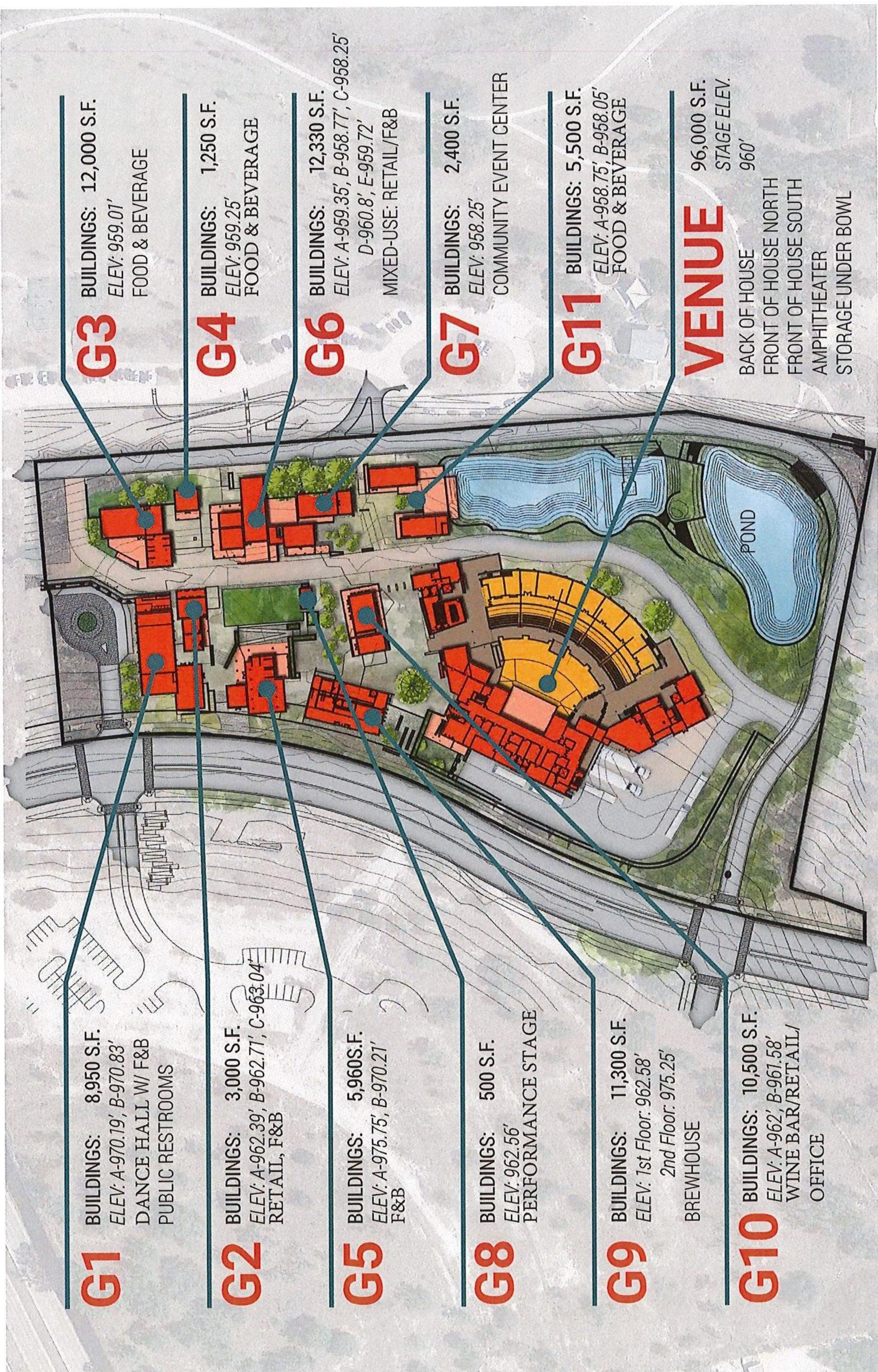
Landscape Exhibit

Willie Way, Street A and City Park



February 4th, 2020

The information shown is based on the best information available and is subject to change without notice.



G1

BUILDINGS: 8,950 S.F.
ELEV: A-970.19', B-970.83'
DANCE HALL W/ F&B
PUBLIC RESTROOMS

G2

BUILDINGS: 3,000 S.F.
ELEV: A-962.39', B-962.71', C-963.04'
RETAIL, F&B

G5

BUILDINGS: 5,960 S.F.
ELEV: A-975.75', B-970.21'
F&B

G8

BUILDINGS: 500 S.F.
ELEV: 962.56'
PERFORMANCE STAGE

G9

BUILDINGS: 11,300 S.F.
ELEV: 1st Floor: 962.58'
2nd Floor: 975.25'
BREWHOUSE

G10

BUILDINGS: 10,500 S.F.
ELEV: A-962', B-967.58'
WINE BAR/RETAIL/
OFFICE

G3

BUILDINGS: 12,000 S.F.
ELEV: 959.07'
FOOD & BEVERAGE

G4

BUILDINGS: 1,250 S.F.
ELEV: 959.25'
FOOD & BEVERAGE

G6

BUILDINGS: 12,330 S.F.
ELEV: A-959.35', B-958.77', C-958.25'
D-960.8', E-959.72'
MIXED-USE: RETAIL/F&B

G7

BUILDINGS: 2,400 S.F.
ELEV: 958.25'
COMMUNITY EVENT CENTER

G11

BUILDINGS: 5,500 S.F.
ELEV: A-958.75', B-958.05'
FOOD & BEVERAGE

VENUE

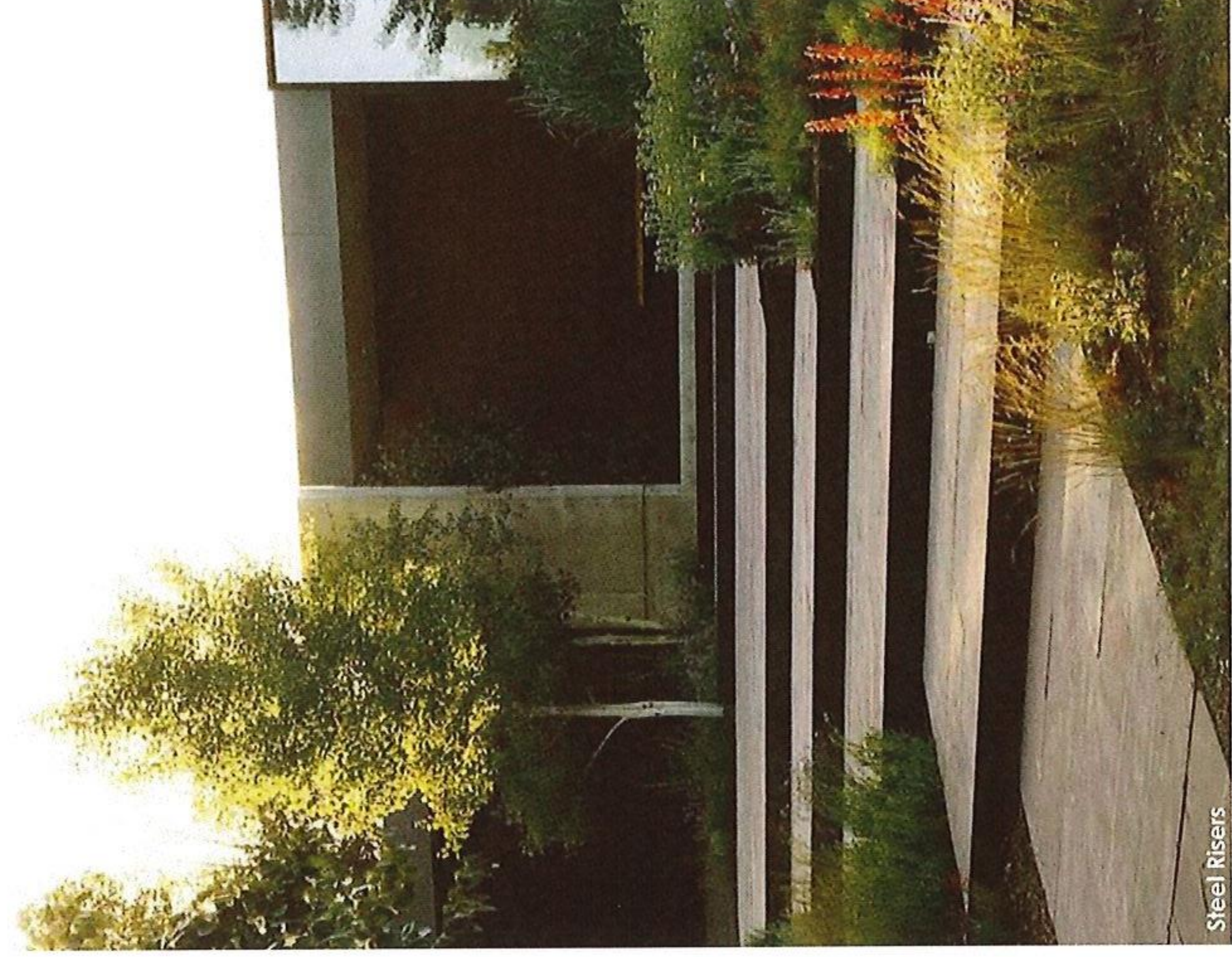
96,000 S.F. STAGE ELEV. 960'
BACK OF HOUSE
FRONT OF HOUSE NORTH
FRONT OF HOUSE SOUTH
AMPHITHEATER
STORAGE UNDER BOWL

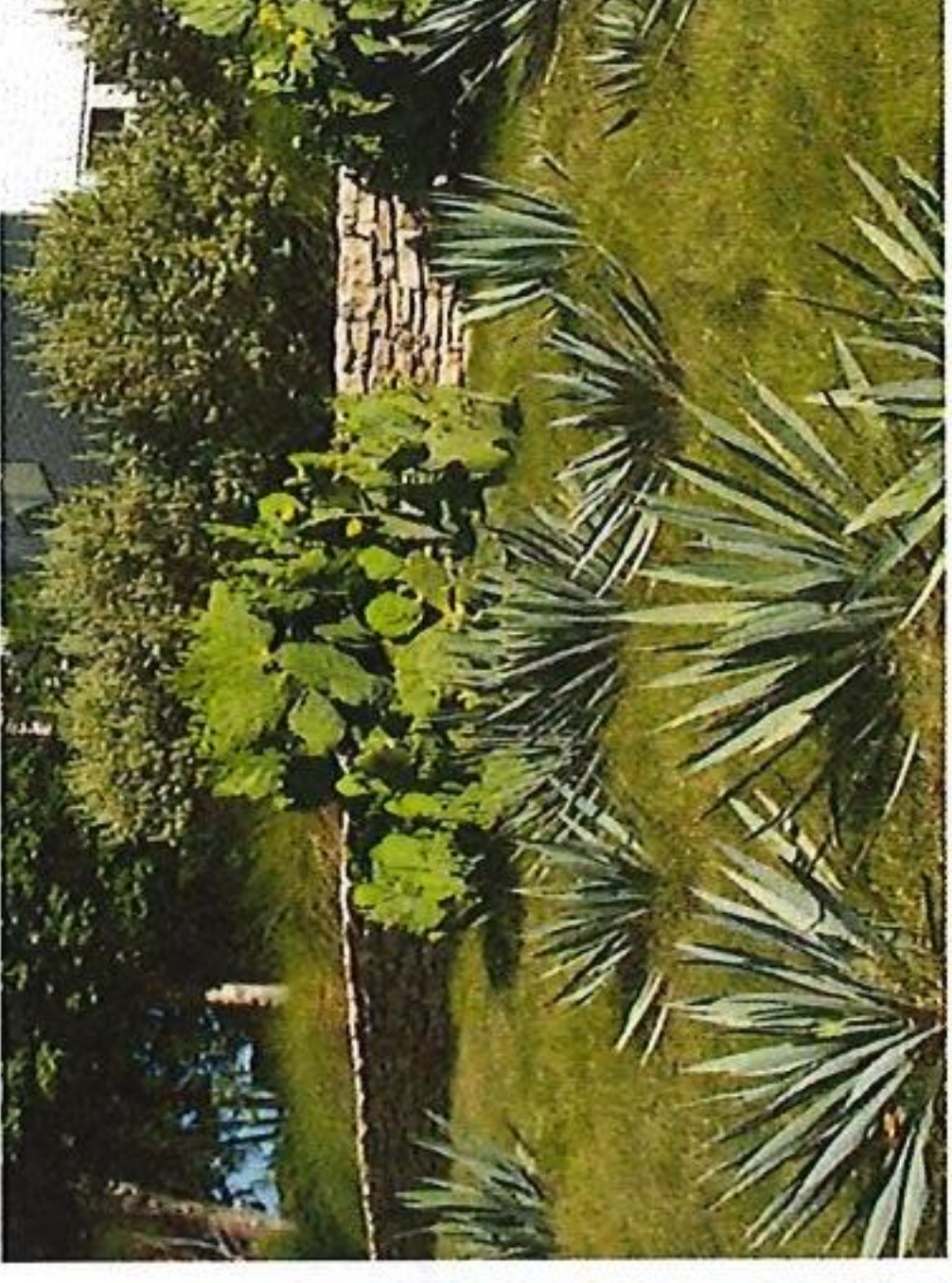
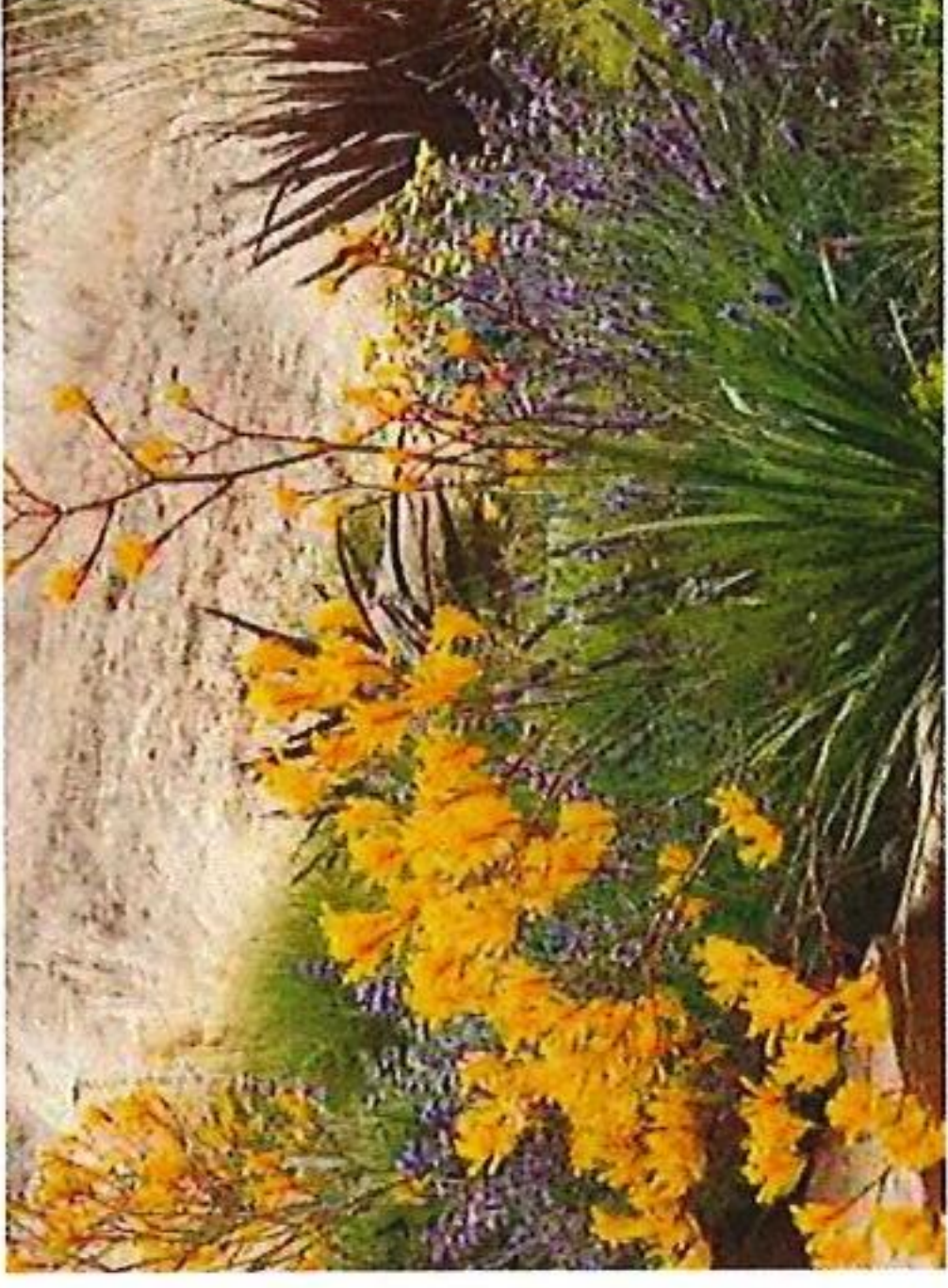
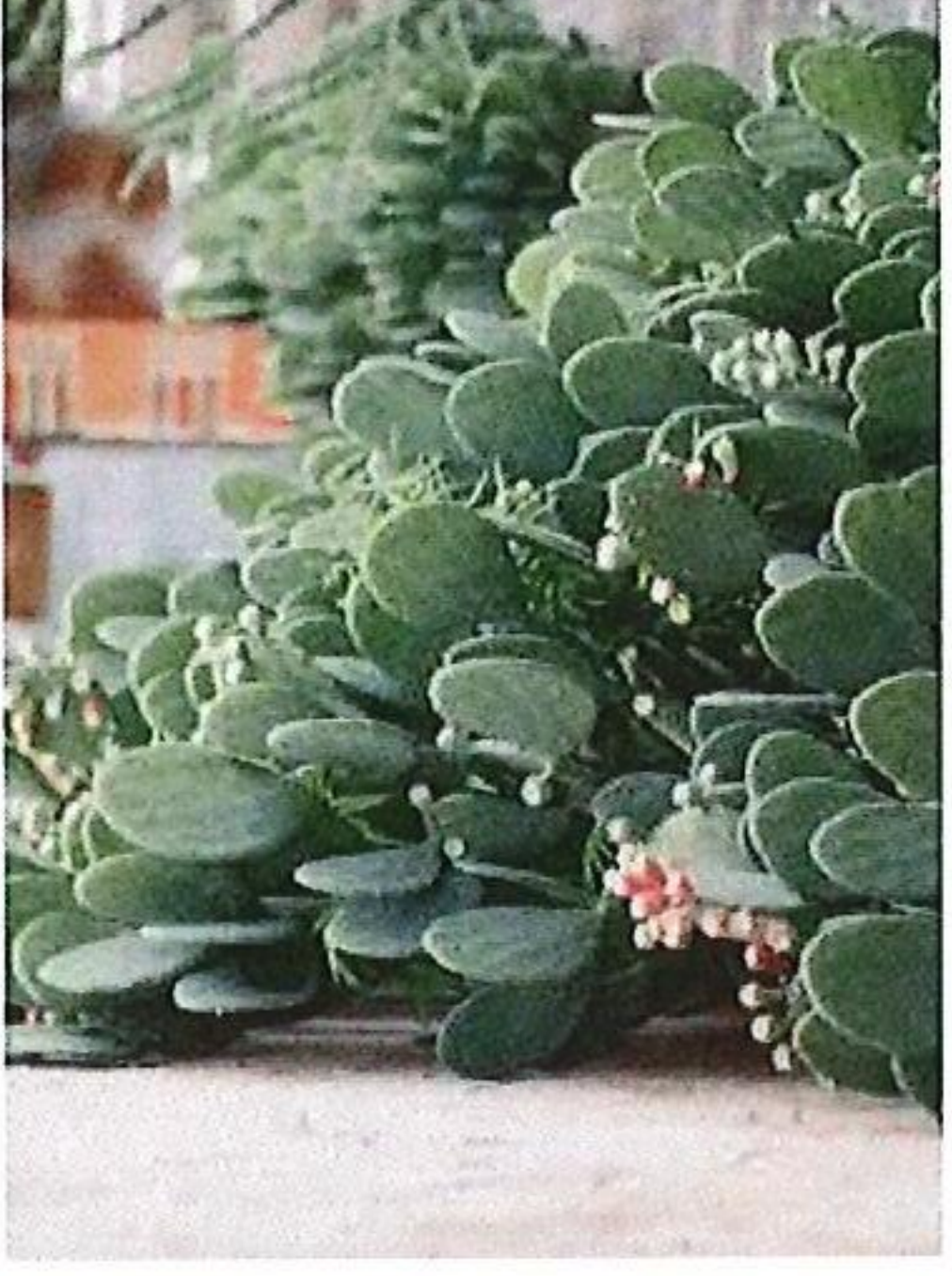
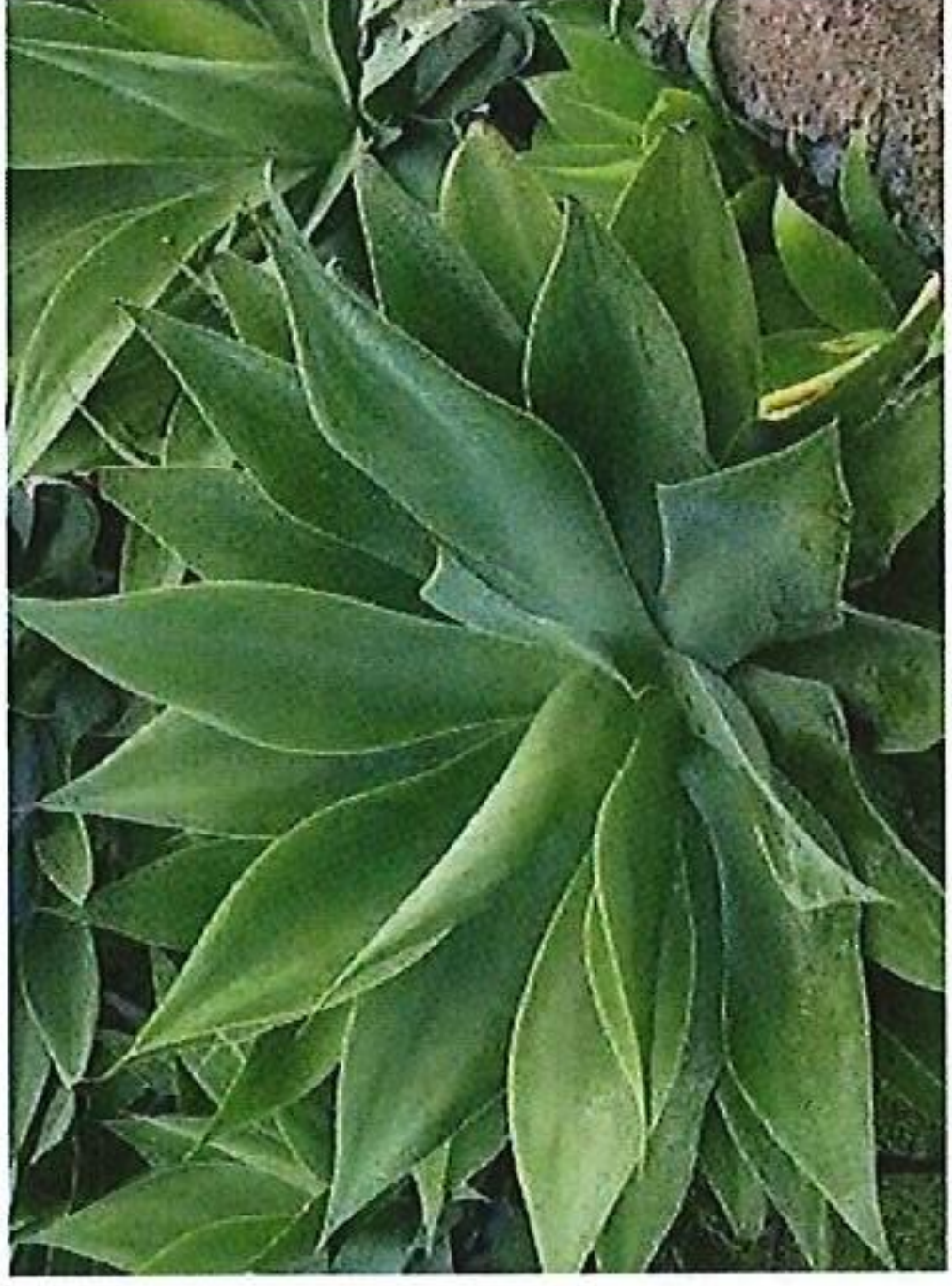
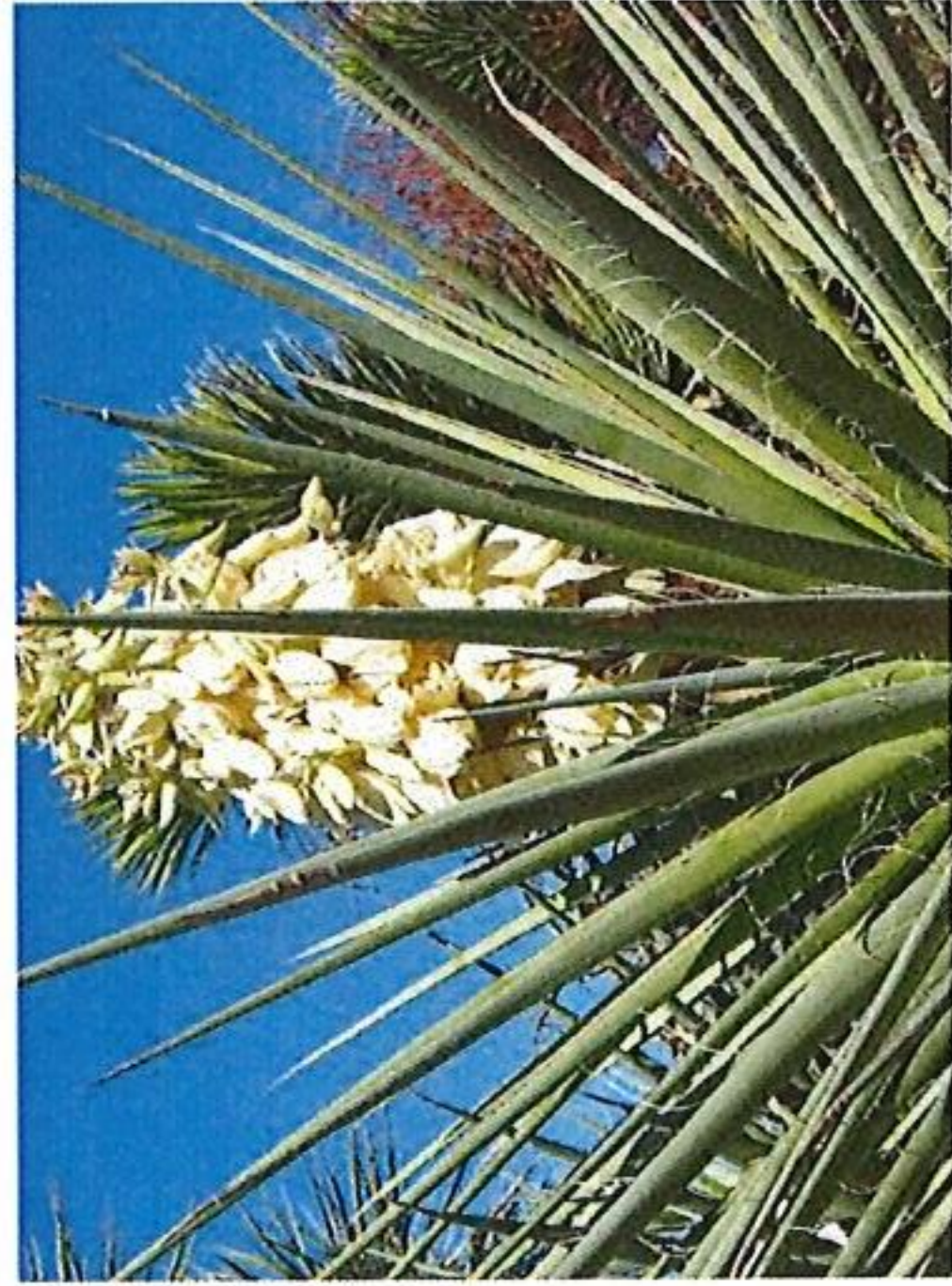
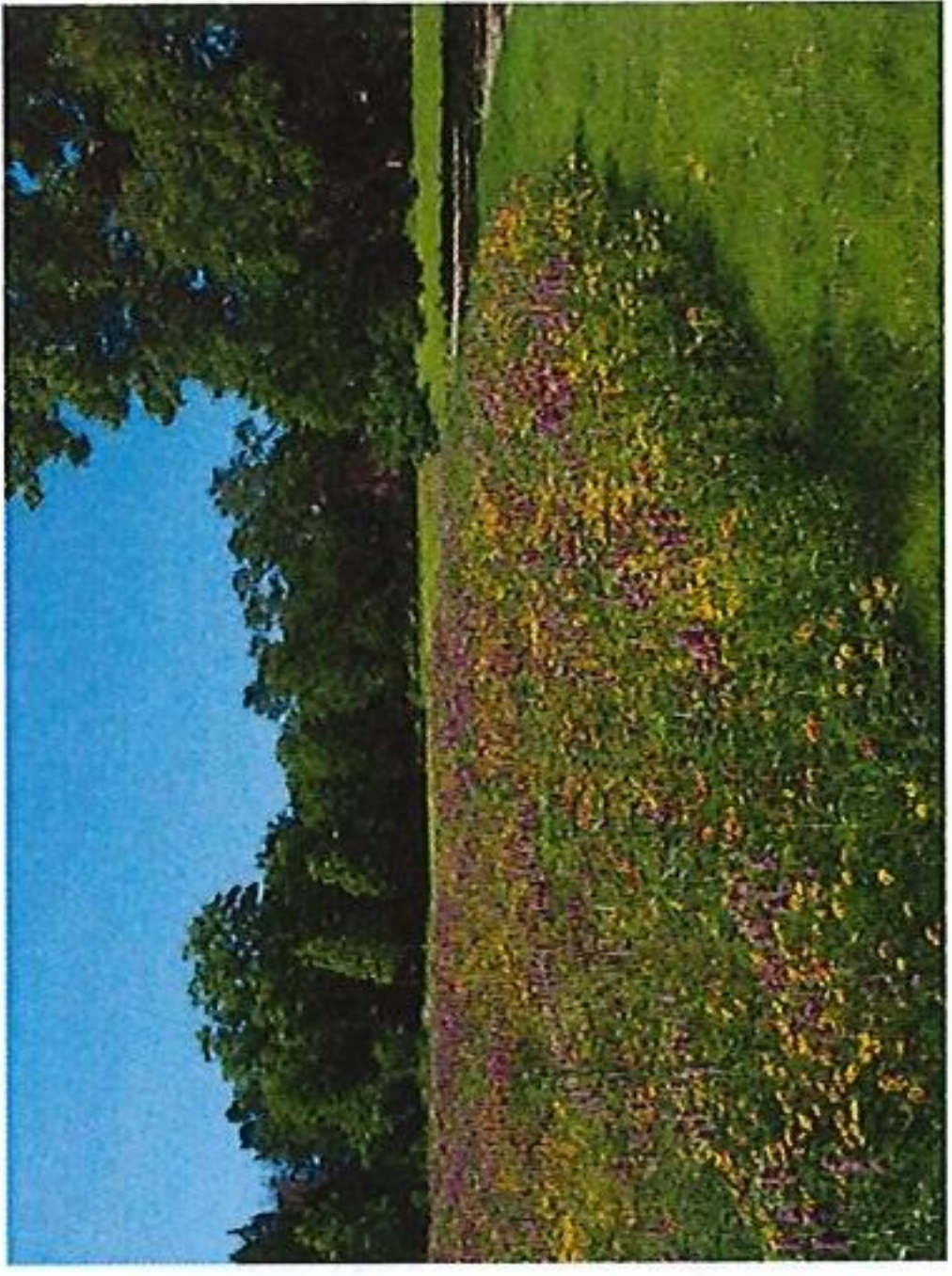
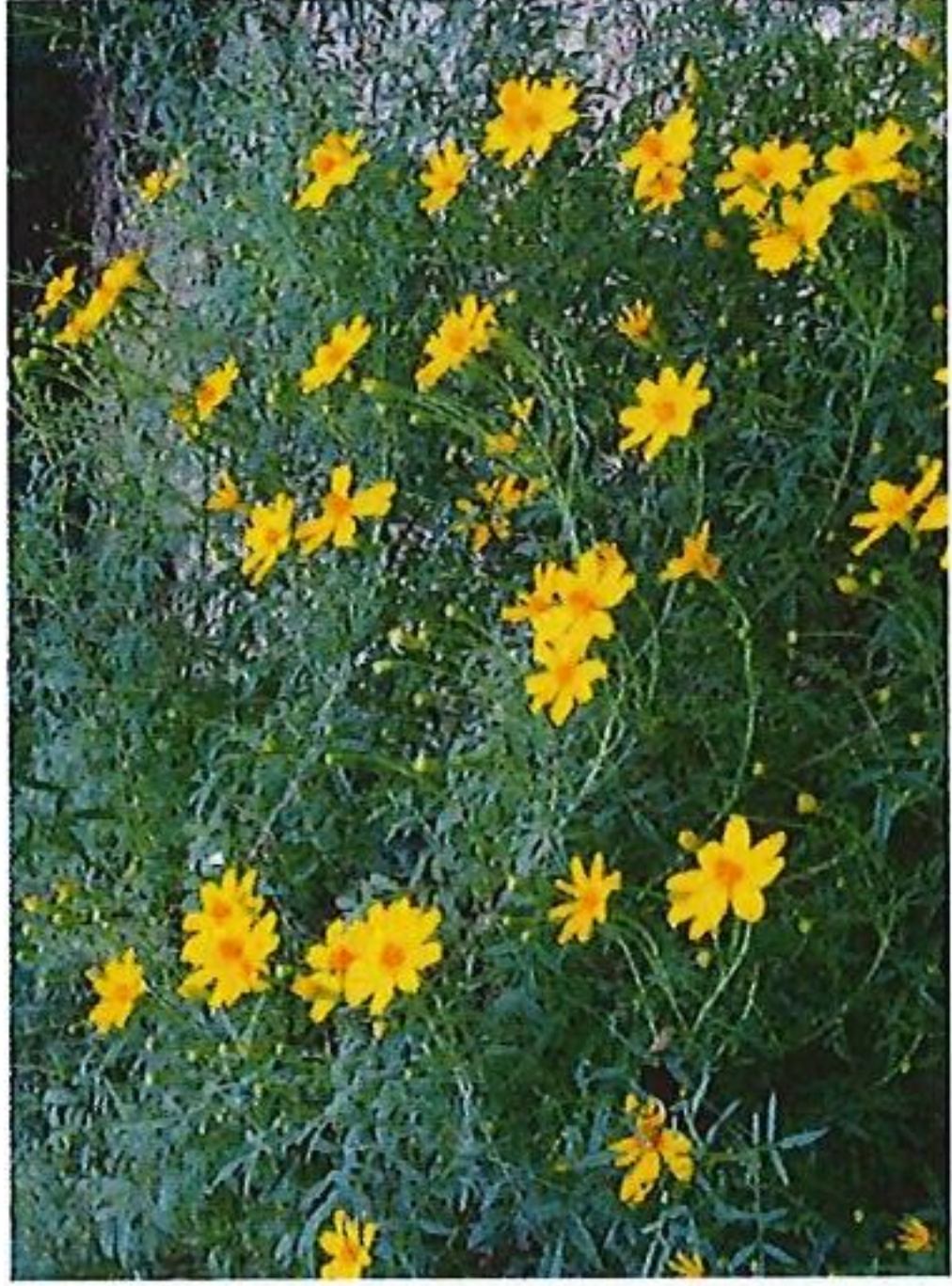
Backyard Building Information					
Building Area	Use(s)	Gross Area (SF)	Bldg Footprint (SF)	# Levels	Building Height
FBR Area					
G1	Dance Hall, Food and Beverage, Public Restrooms	8,950	8,820	2	41'-0"
G2	Mixed retail, food and beverage	3,000	3,000	1	27'-0"
G3	Food and Beverage	12,000	9,000	2	38'-0"
G4	Food and Beverage	1,250	1,250	1	32'-0"
G5	Food and Beverage	5,960	5,960	1.5	34'-0"
G6	Food , Beverage, Retail, Office	12,330	8,790	2	42'-6"
G7	Community Event Center	2,400	2,400	1	28'-0"
G8	Performance Stage	500	500	1	16'-6"
G9	Brew House	11,300	5,200	2	42'-0"
G10	Wine Bar/Retail/Office	10,500	5,600	2	34'-0"
G11	Food and Beverage	5,500	5,500	1	18'-0"
Venue					
P1	Event Venue	96,000*	54,000*	2	55'-0"
P2	Parking Garage #1	360,000	72,000	5	52'-0"
O1	Parking Garage #2	300,000	60,000	5	52'-0"
O2	Office #1	90,000	30,000	3	52'-0"
H1	Office #2	90,000	30,000	3	52'-0"
	Hotel	132,300	65,000	3	52'-0"

*does not include uncovered pit area or area of risers not over occupied space

Backyard Impervious Cover			
	Area (ac)	Sq Ft.	
Site Area	35.14	1,530,698.40	
2.553ac Old Backyard Tract Transfer			
Credit at 3:1	2.55	111,208.68	
Bee Cave Parkway ROW	2.31	100,623.60	
Total Site Area	40.00	1,742,530.68	
	Area (ac)	Sq Ft.	
Allowable Impervious Cover @ 40%	16.00	697,012.27	
Rainwater Harvesting Credit + 5%	1.76	76,534.92	
Total Allowable Imp. Cover @ 45%	17.76	773,547.19	

Hilltop Garden + Promenade : Design Intent





The Backyard - Bee Cave, TX

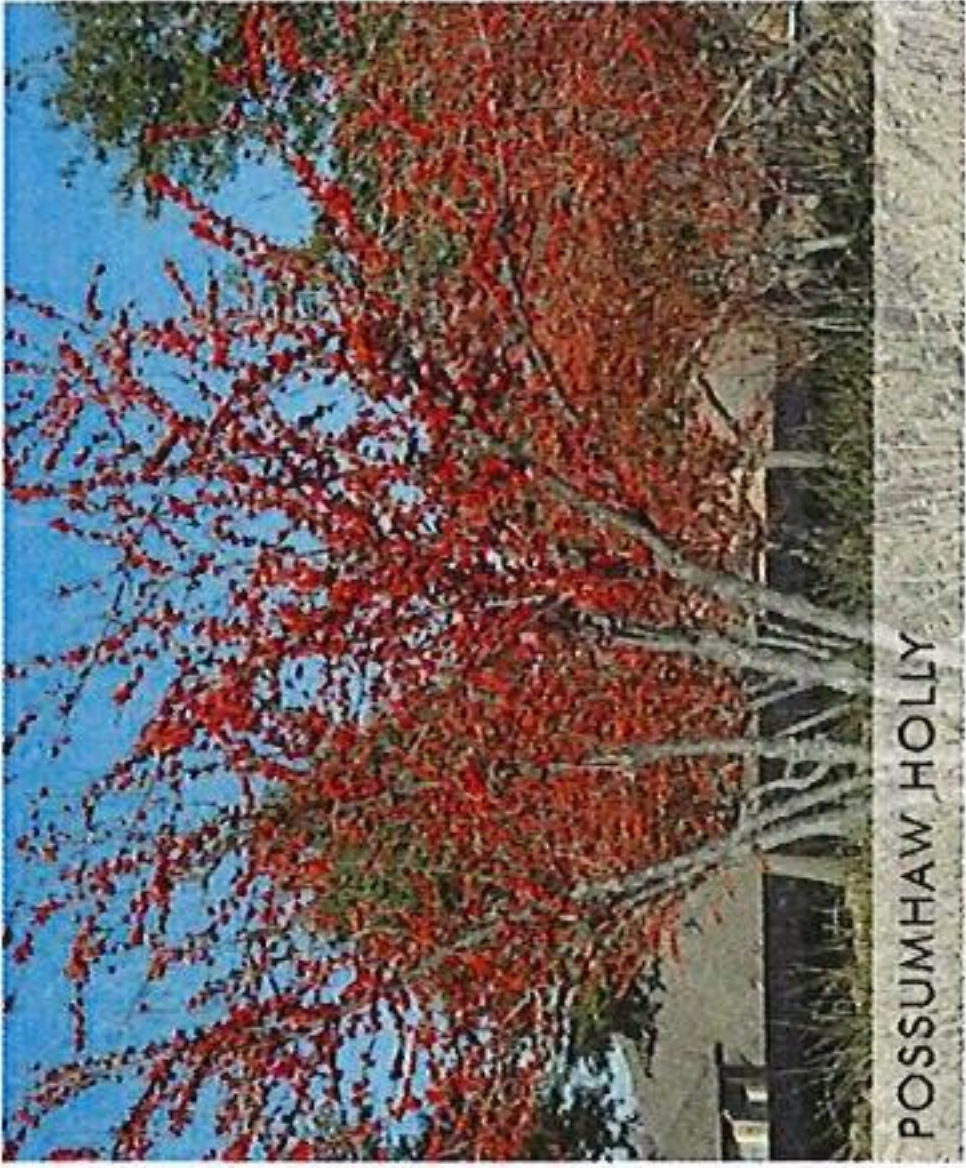
Hilltop Garden Planting Palette



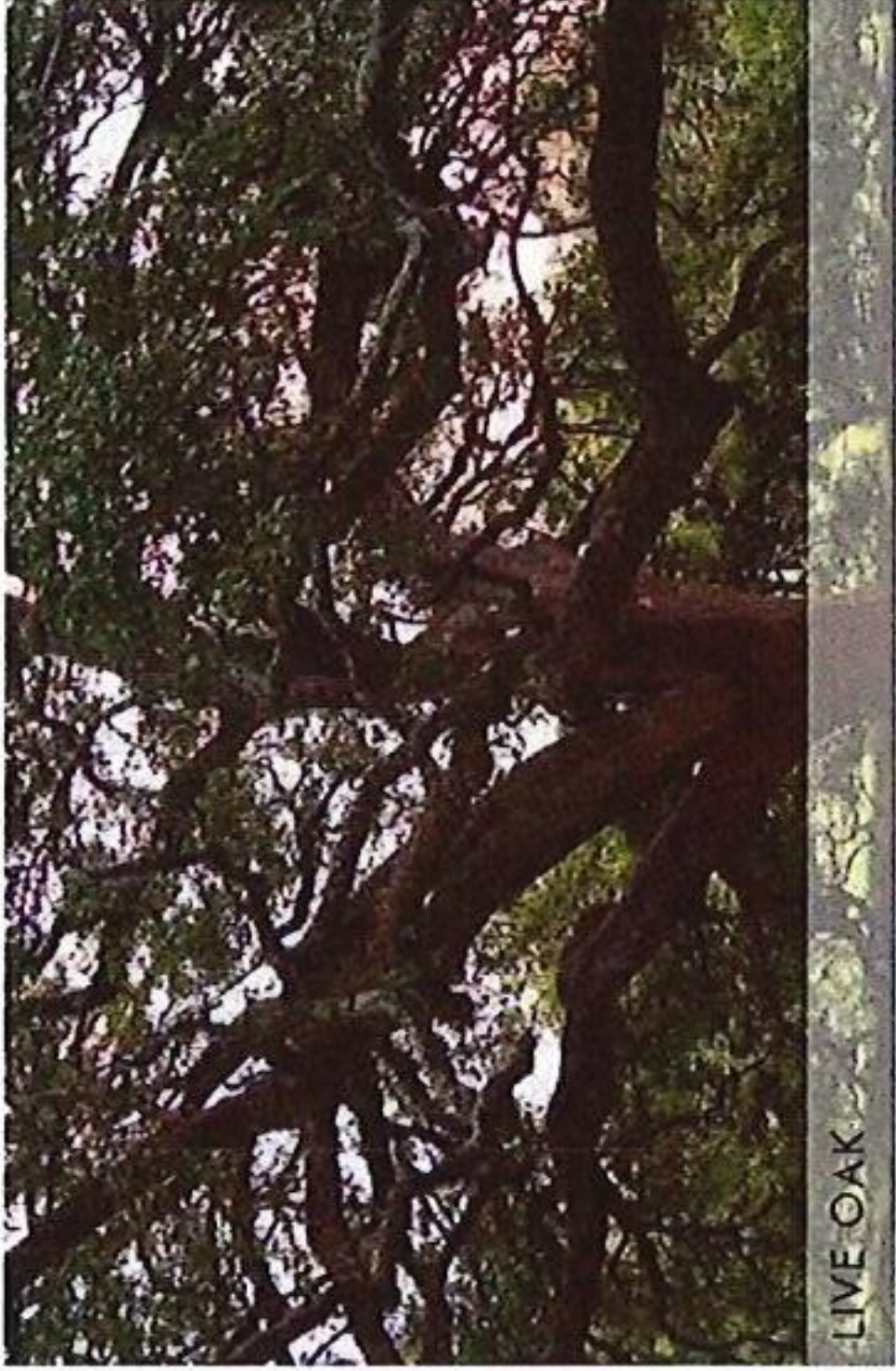
CEDAR ELM



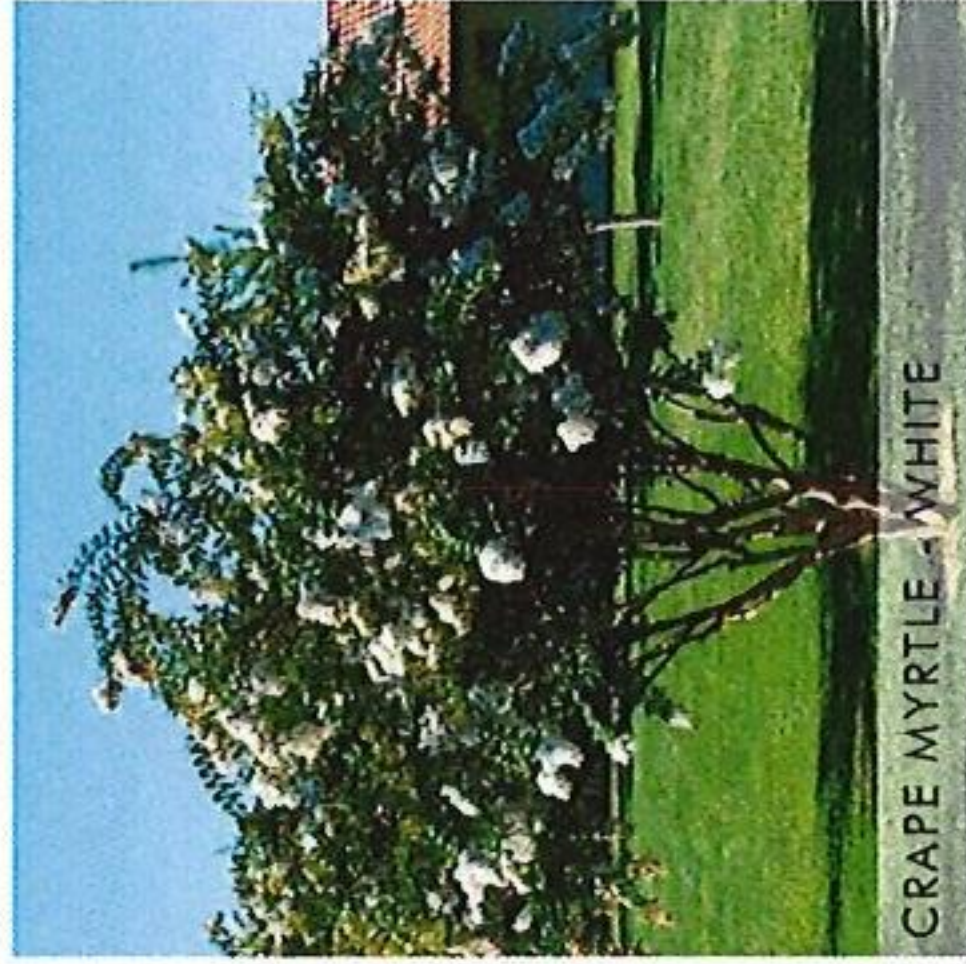
DESERT WILLOW



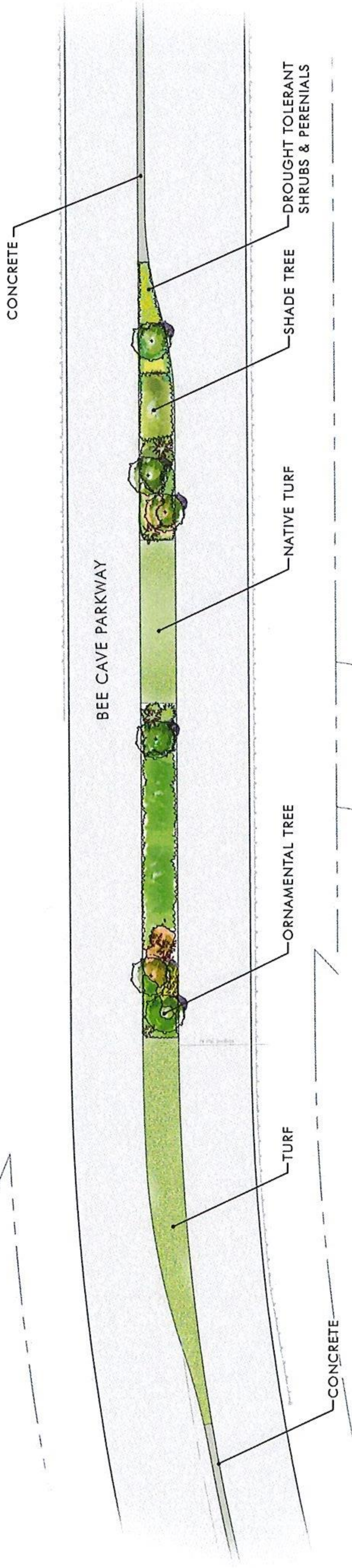
POSSUMHAW HOLLY



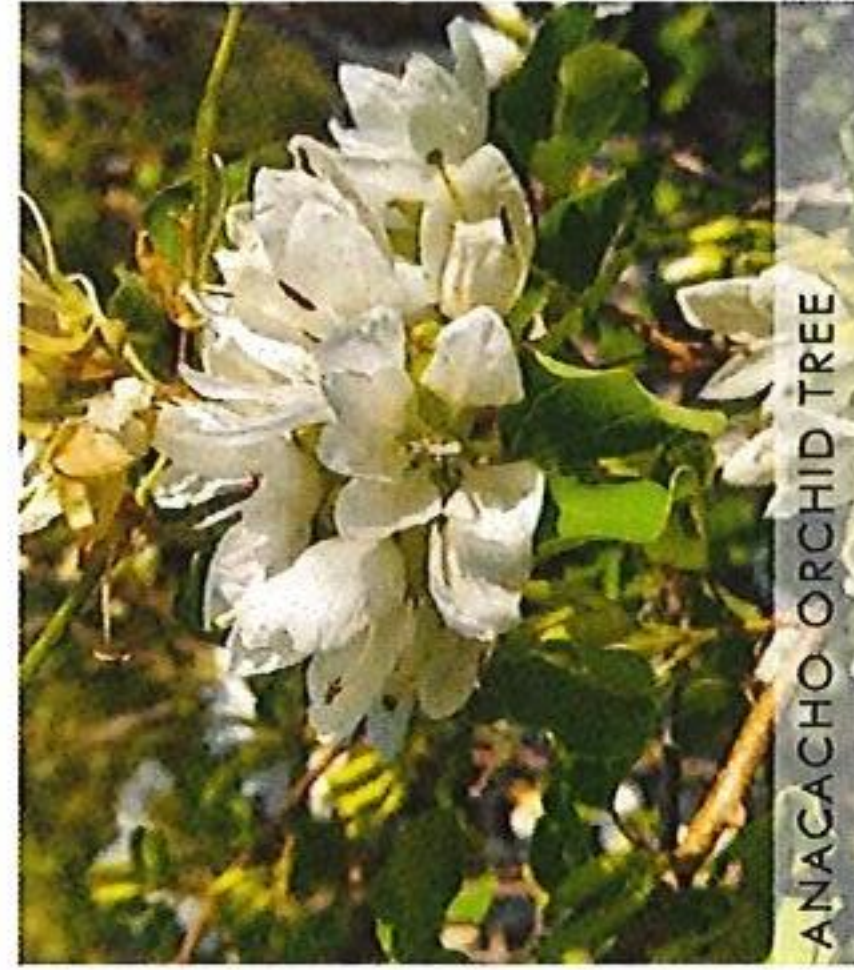
LIVE OAK



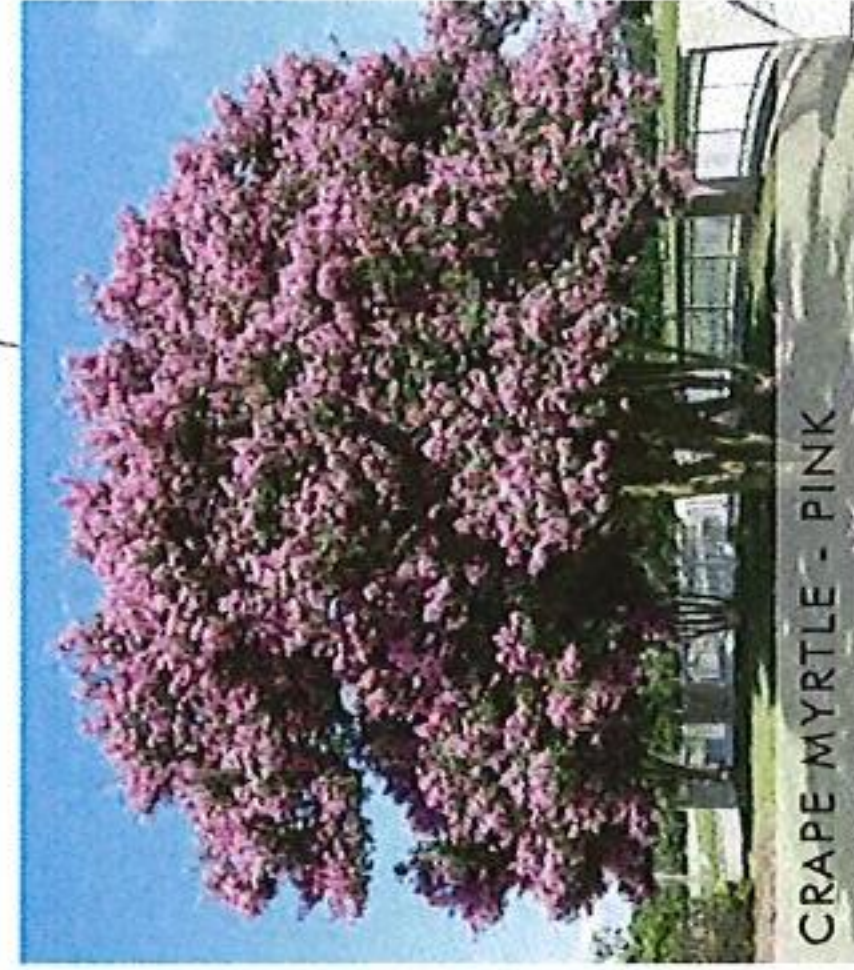
GRAPE MYRTLE - WHITE



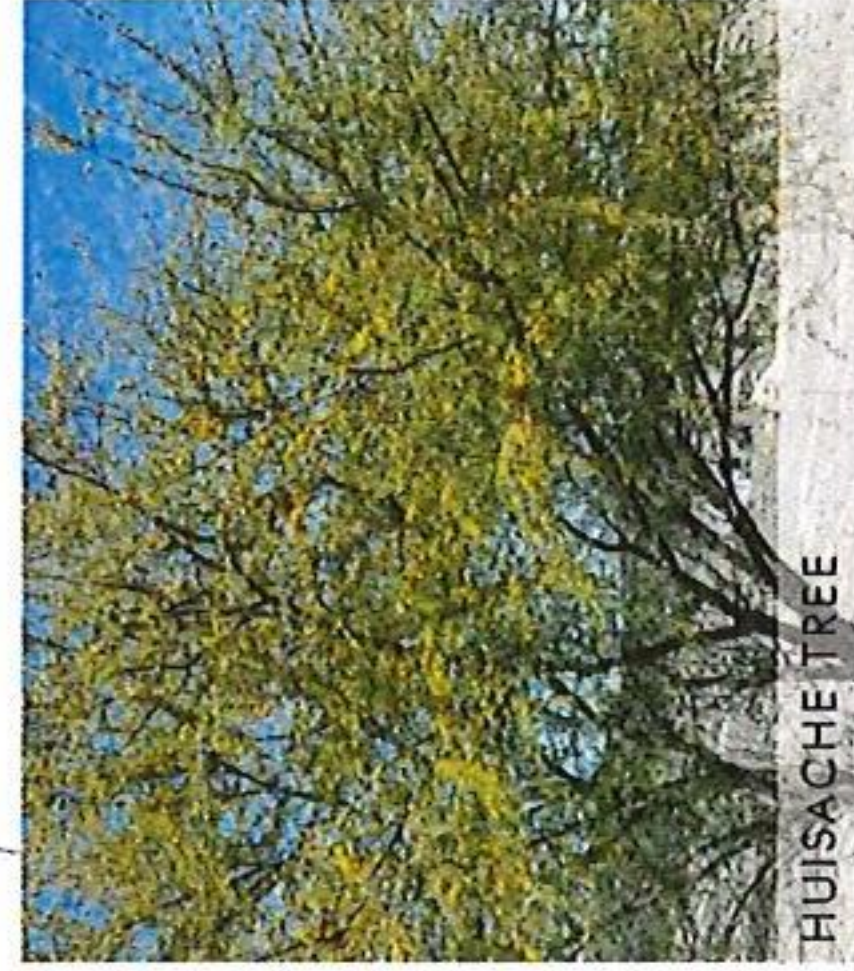
CHASTE TREE



ANACACHO ORCHID TREE



GRAPE MYRTLE - PINK



HUISACHE TREE



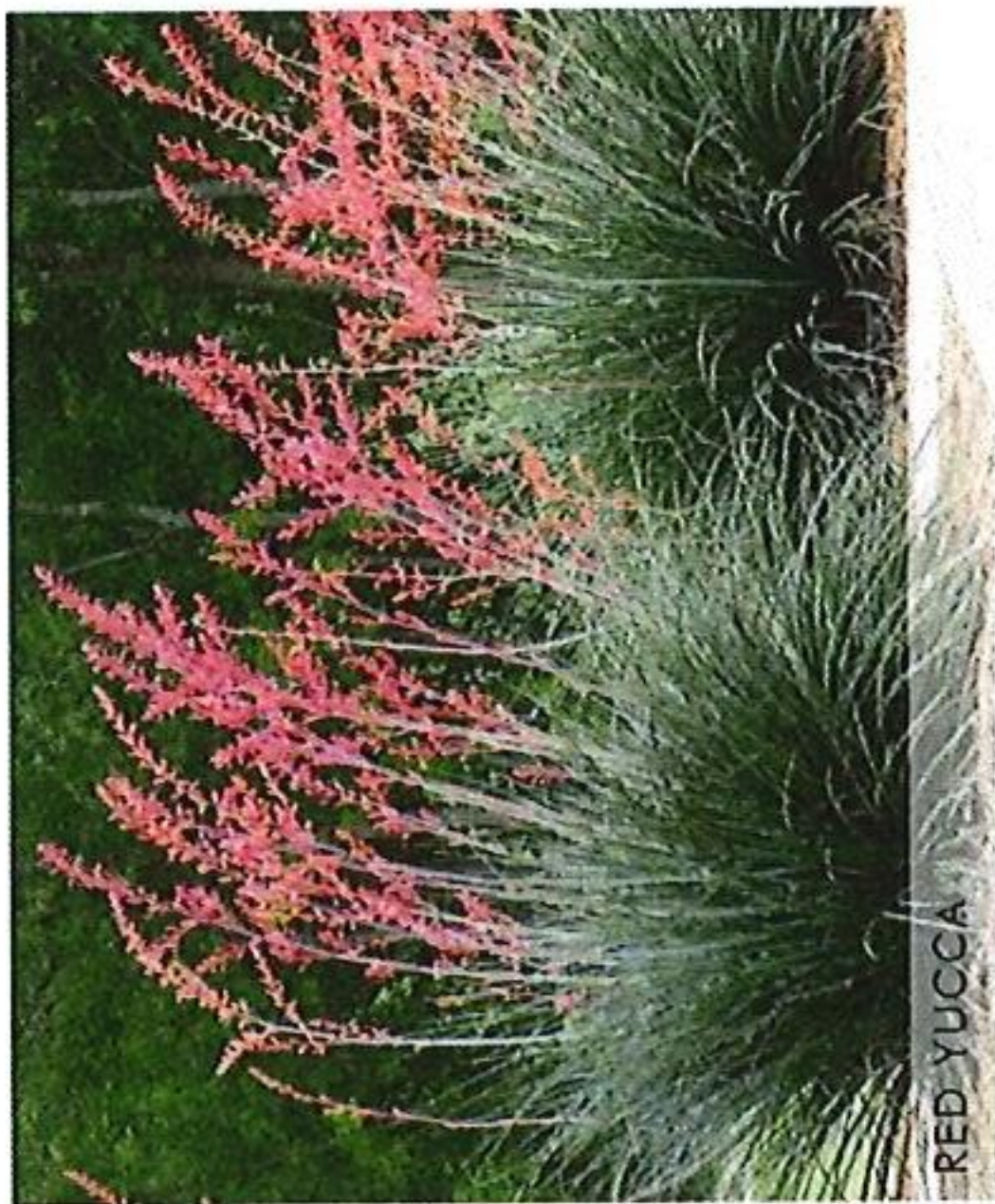
Stantec

Bee Cave Parkway

Typical Bee Cave Parkway Median

March 07, 2019

The information shown is based on the best information available and is subject to change without notice.



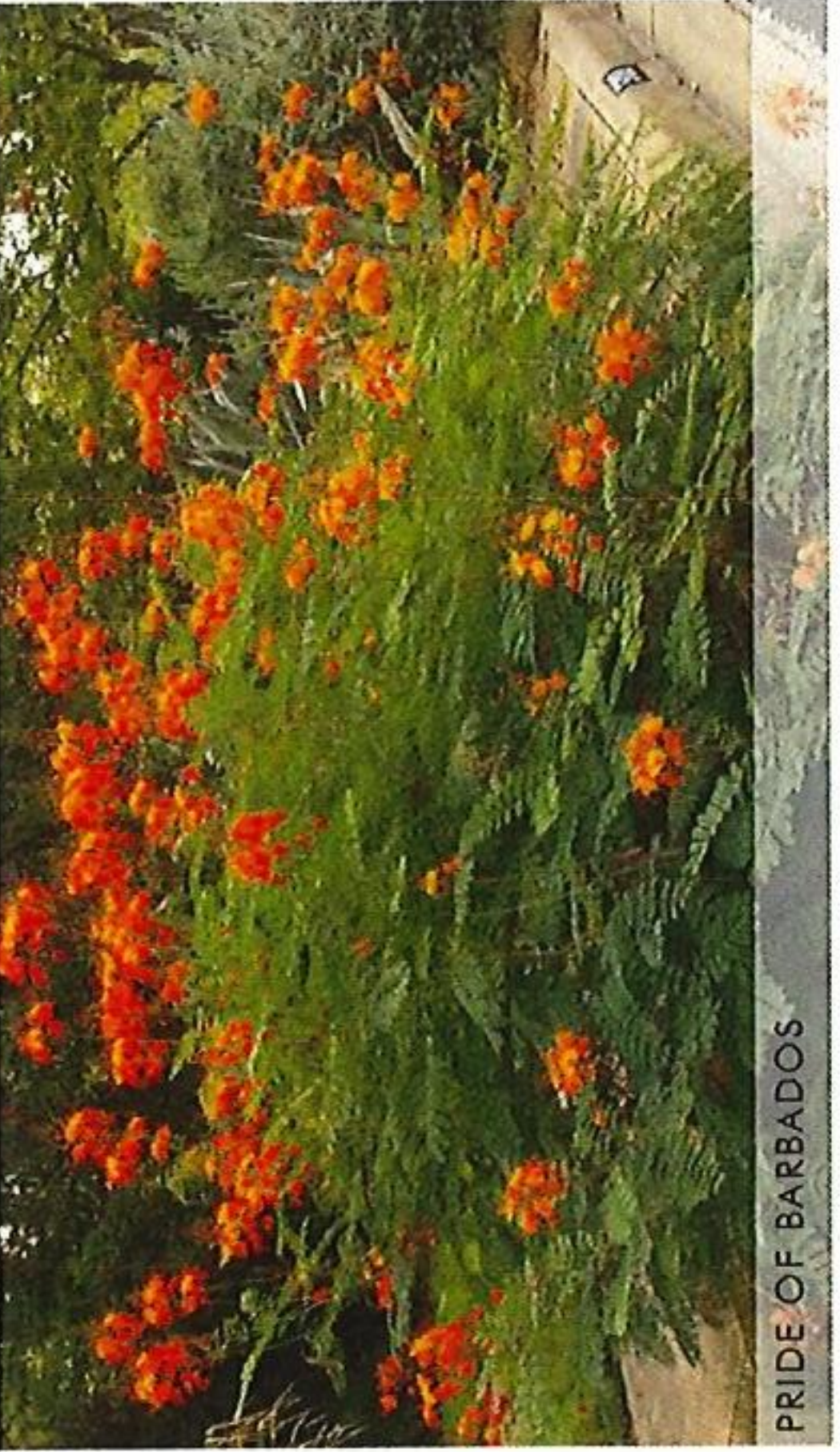
RED YUCCA



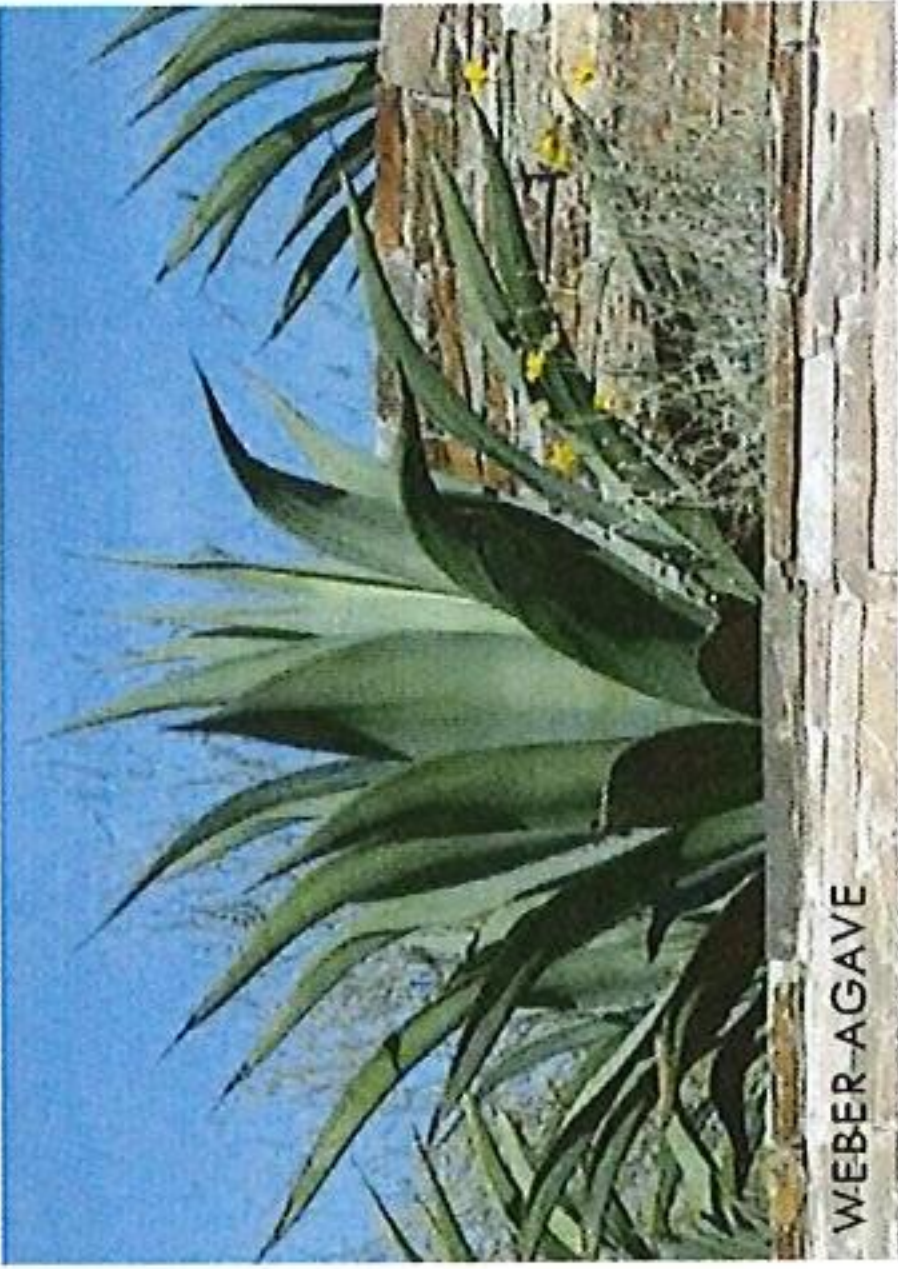
MEXICAN OREGANO



SOFT LEAF YUCCA



PRIDE OF BARBADOS



WEBER AGAVE



LAMBS EAR



RUSSIAN SAGE



COMPACT TEXAS SAGE



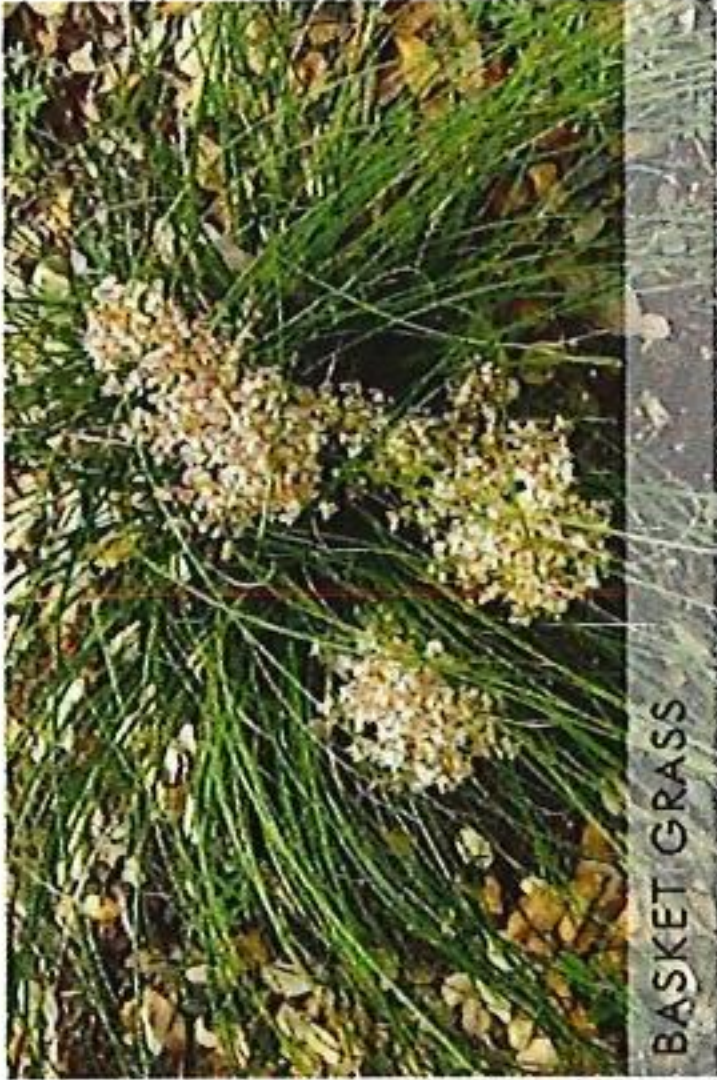
MEXICAN BUSH SAGE



PINK SKULLCAP



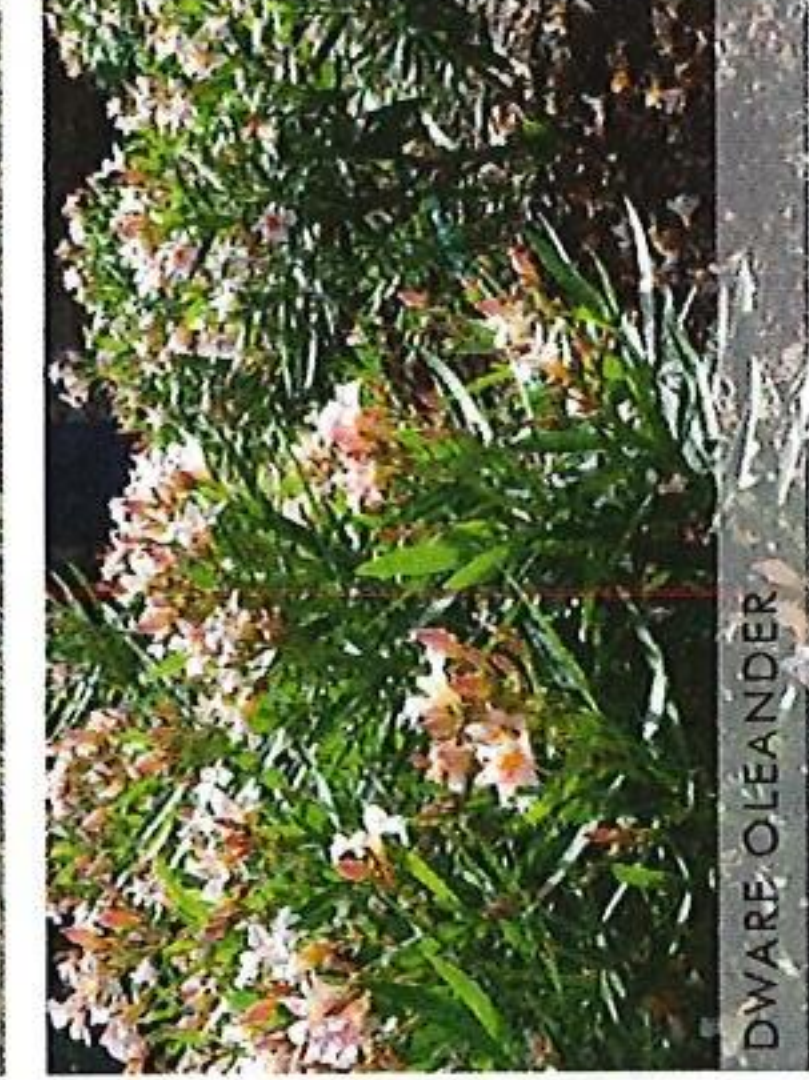
CHERRY SAGE



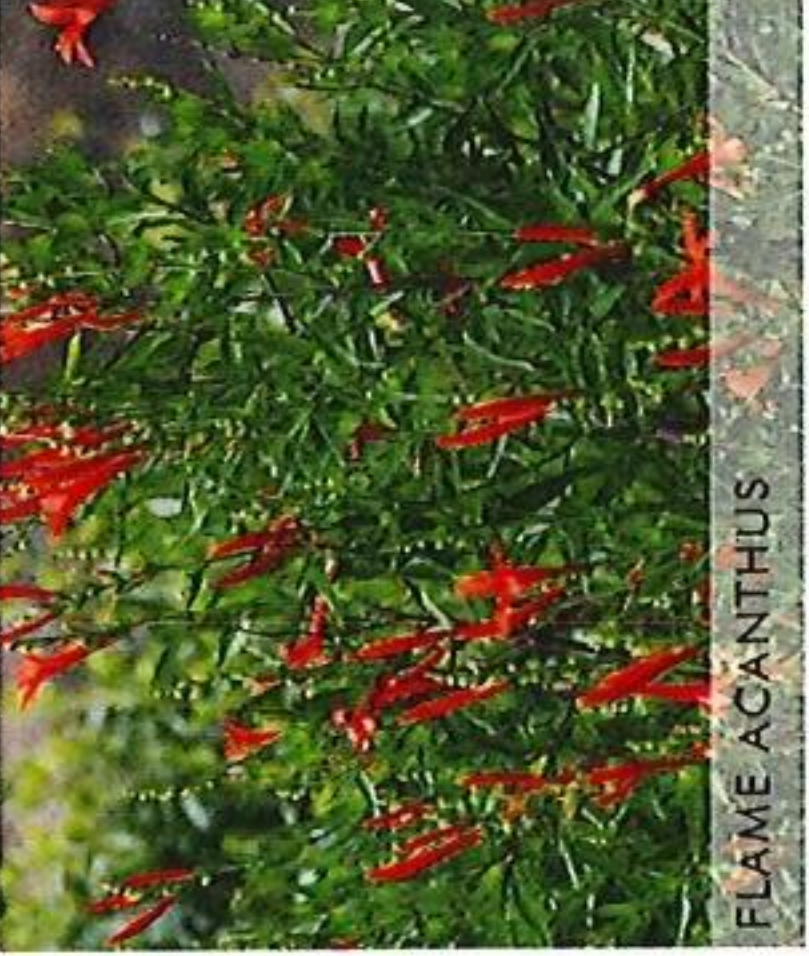
BASKET GRASS



COPPER CANYON DAISY



DWARF OLEANDER



FLAME ACANTHUS

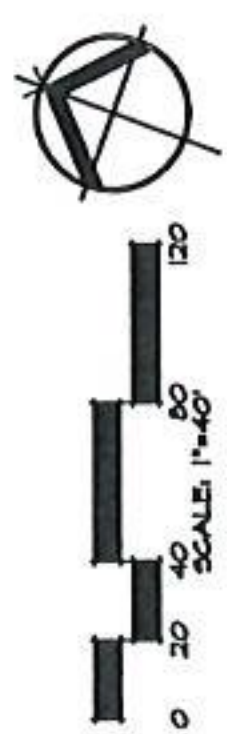
Bee Cave Parkway

Typical Bee Cave Parkway Median

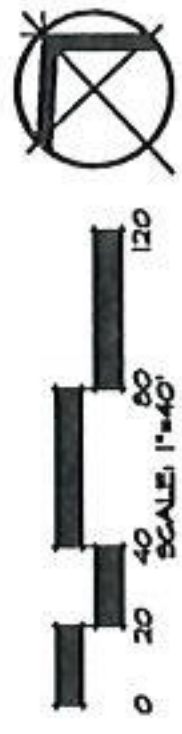


March 07, 2019

The information shown is based on the best available information and is subject to change without notice.

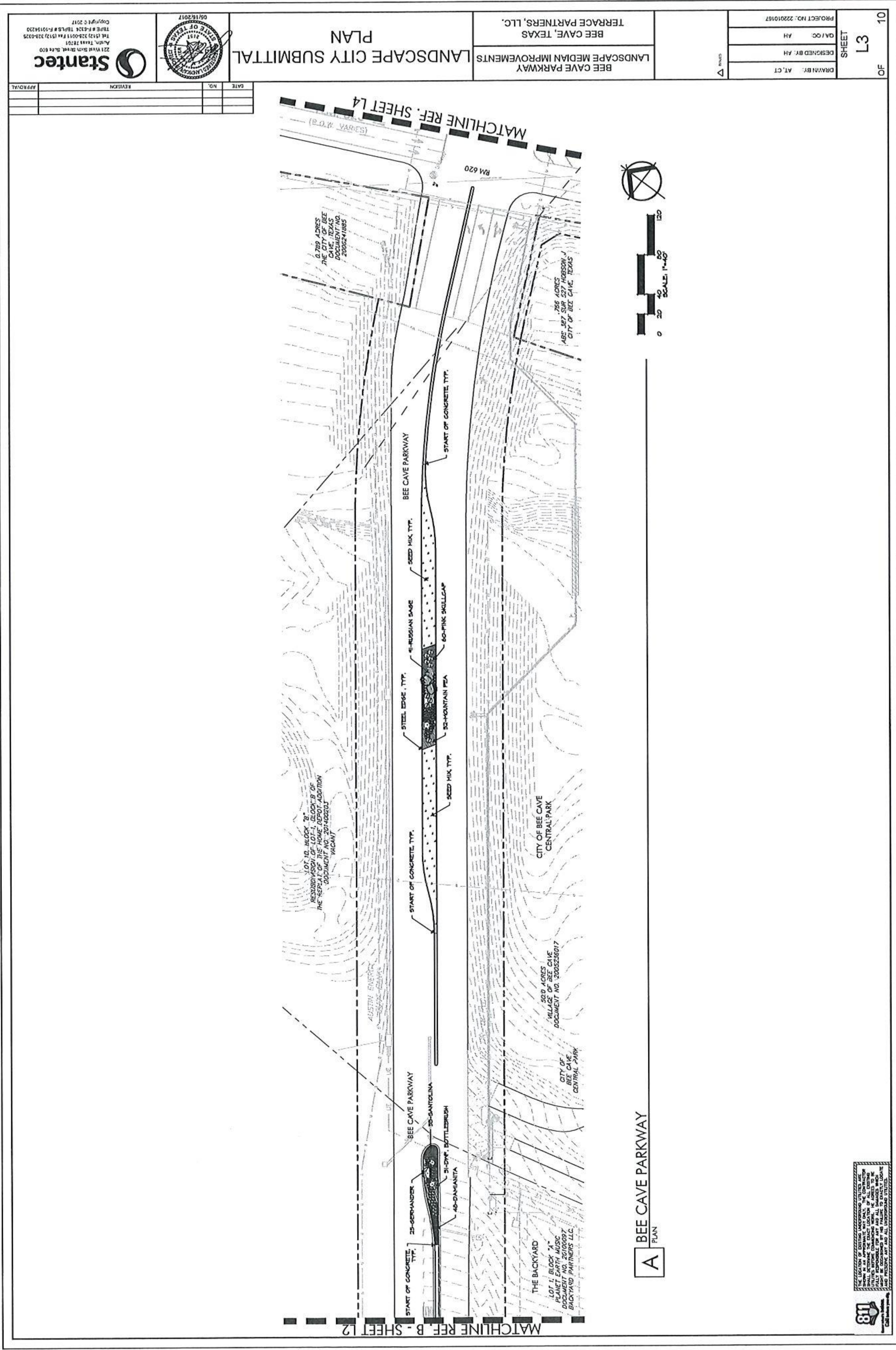


PLAN



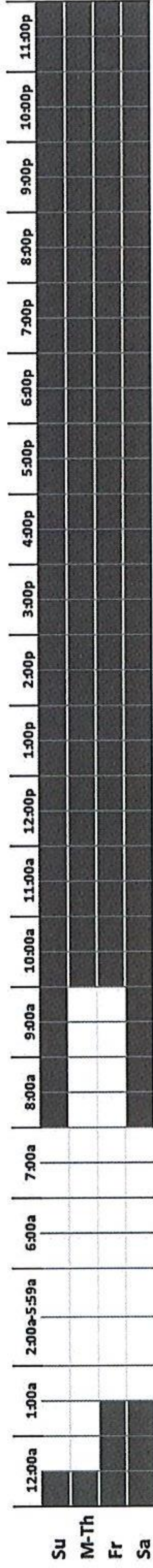
PLAN

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCURRED BY HIS FAILURE TO EXACTLY LOCATE AND PROTECT ANY AND ALL UNDERGROUND UTILITIES.

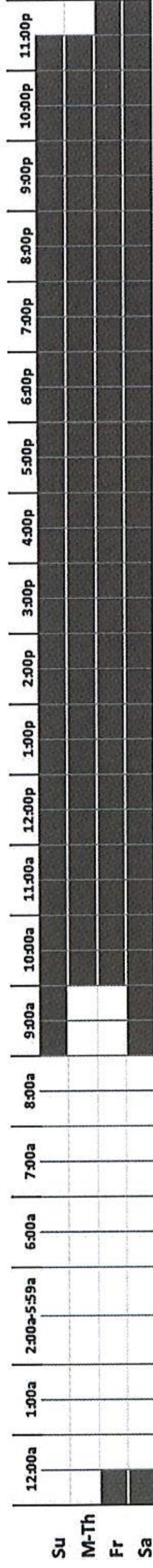


Event Venue Hours of Operation

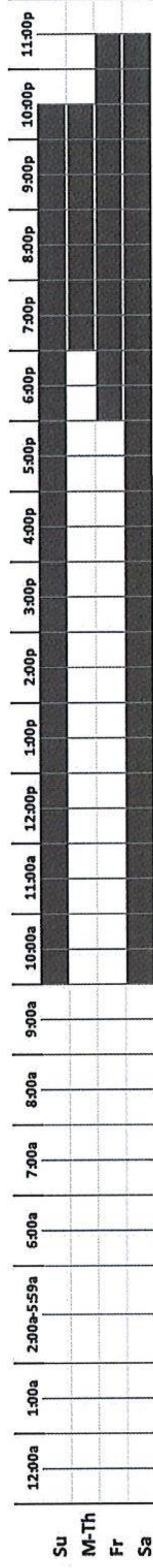
Event set-up/closure by Venue staff



Window for Attendee arrival/departure and ambient, non-live amplified music



Live Music, Performance Arts, and Special Events > 500 Attendees



Live Music, Performance Arts, and Special Events >500 Attendees with arrival & departure times who must have approved parking plan

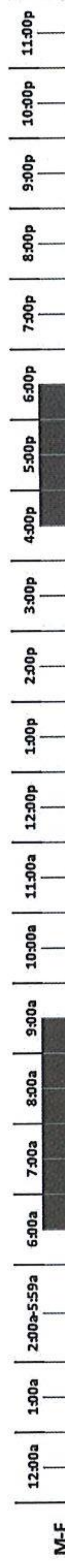


Exhibit "C"

PLANNED DEVELOPMENT STANDARDS

The following Planned Development Standards ("Development Standards") shall be applicable within this Planned Development District. To the extent that any of the Development Standards conflict with other City Ordinances, the Development Standards shall control. All development activity undertaken on the Property as described on Exhibit A-1, including but not limited to, live outdoor music venue, event venue, hotel, offices, and other authorized uses and activities (as described below) (the "Project"), shall comply with the land use development standards of the City and for the Office Zoning District (O) for the Property in effect as of March 7, 2014, except as modified by this Ordinance. Capitalized terms shall be defined as indicated in these Planned Development Standards, as reflected on the Concept Plan or as defined in the City of Bee Cave Code of Ordinances ("Code"), depending upon context.

I. General Project Summary

The Property is an approximate 35.139-acre tract generally located north of Highway 71 and west of Highway 620 and south of Bee Cave Parkway and is intended to be constructed in Phases over an approximate 3-7 year period. The Project is intended to provide a tightly integrated work and entertainment environment consisting of outdoor music and event venue with associated concessions and gathering spaces, campus style professional office buildings, hotel, restaurants, open space trails and development under the Office "O" base zoning district with development standards as defined herein and as referenced in Exhibit B ("Concept Plan"). Additional uses include two associated parking garages with storm water detention and water quality facilities, the Hilltop Garden, additional publicly accessible open space, trails and a pedestrian bridge landing on the Old Backyard Property. Building areas, heights, square footage maximums are as set forth in Exhibit B. Enhanced landscaping areas are located strategically within the Project as depicted in the Concept Plan as Enhanced Landscaping to provide compatibility to adjoining land uses and in particular the City's Central Park. Some of the water quality and detention ponds are likewise intended to serve as amenity ponds and are intended to be constructed so that they are park like areas that are accessible by the general public. The street network within the Project is designed to provide vehicular connectivity between the various uses within the Project, Bee Cave Pkwy, Highway 71, and adjoining properties. The project will also provide landscaping within the medians of Bee Cave Parkway, additional highway improvements, and an easement to the City for a pedestrian bridge landing on the Old Backyard Property, more particularly described on Exhibit A-2, from which impervious cover is being transferred.

II. Project Phasing

A. Phase I – Subdivision Infrastructure

Construction of Willie Way, Street A and Commercial Drive A, water quality and drainage infrastructure, median improvements on Bee Cave Parkway and Willie Way, conveyance of an easement to the City to accommodate the bridge landing and trail system on the Old Backyard Property (Exhibit A-2), the trails connecting Willie Way to the Hilltop Garden and the trails internal to the Hilltop Garden.

B. Phase II – Project Elements

Event venue built to full capacity, Food Beverage & Retail (FBR), Garage P1, Garage P2, temporary surface parking (if needed), enhanced landscaping in Bee Cave Central Park, vehicular and pedestrian connections between the Bee Cave Central Park and the parking garage in Area P1 (to be gated at the discretion of the city with construction being the responsibility of the developer). Phase II may be reviewed and constructed concurrently with Phase I, but may not receive a CO prior to the completion of all improvements in Phase I. Phase II improvements may be approved via multiple site plans. A CO for the Event Venue shall not be issued until all improvements are met with the exception of the FBR being completed.

C. Phase III – Additional Project Elements

All remaining buildings and associated improvements. If the Developer elects, Phase III buildings and improvements (or any portion thereof) may be reviewed and constructed concurrently with Phase II but may not receive a CO prior to the completion of all improvements in Phase II with the exception of the FBR. Phase III improvements may have multiple site plans.

III. Specific Building and Operation Requirements

A. Event Venue

1. Event Venue is defined as a gathering space for public, private and civic events. The Event Venue shall be constructed and operated in the general location depicted in Exhibit B. Subject to restrictions described herein, the number of ticketed Attendees of the Event Venue shall not exceed 3,700. "Attendee" is defined as any occupant of the Venue that is not staffing the corresponding event or performing at the corresponding event. Subject to restrictions herein, the maximum number of credentialed occupants is 250 during a performance. A "Credentialed Occupant" is defined as any person within the event venue that is not an Attendee. Any occupant of the event venue not ticketed must be credentialed, including but not limited to venue staff, performers and event contracted staff. Credentialed individuals should not exceed 250 persons within the area without prior approval from the city manager. The Event Venue may be used as an outdoor music and performing arts venues, to prepare and sell concessions, and to provide gathering spaces.

2. Although the Event Venue will be constructed in Phase II to full capacity of 3,700 Attendees, the Event Venue will not be able to exceed 2,000 Attendees until such time as vehicular access to Highway 71 through any adjacent property is constructed and parking is provided in accordance with Section IV.D.1, or as approved by Council at site plan.
3. Building and structure heights shall be measured in accordance with the City's Code of Ordinances and in accordance with Exhibit B. Provided however, to minimize the impacts of the height the stage structure and lighting; and to provide additional sound attenuation the stage structure shall oriented to the southeast and shall be built into the slope of the Property and constructed approximately 17' feet lower than the finished grade of Willie Way unless otherwise approved at the time of site plan. The retaining wall constructed at the rear of the stage area shall extend a minimum of 4 feet above the finished grade adjacent to Willie Way to screen vehicles and loading activities, provide additional security to artist and performers and protect patrons. The wall will be landscaped on the side facing Willie Way and will be faced with stone, or other finished material as approved by council at site plan.
4. Buildings or structures within the Event Venue area shall not exceed the maximum heights, building footprints and gross area square footage described in the Building Area Information Plan, Exhibit B.
5. The elevations for the building facades associated with the Event Venue, including accessory structures, shall be substantially similar to those depicted in Exhibit "D" attached hereto, or as approved by City Council through the Architectural Pre-Design Approval Process.
6. Event Venue shall conform at a minimum to the City's Exterior Building Design Standards within the Bee Cave Code of Ordinances, unless the City Council, in its sole discretion, approves an alternate design in conjunction with approval of a future Site Plan or by Council approval through the Architectural Pre-Design process. The City Council has authority to approve a building design which deviates from the City's Exterior Building Design Standards if the City Council determines that an alternate design adequately meets the intent of the City's Exterior Building Design Standards as well as the intent of the Project.
7. Any future subdivision of the Property shall be contingent on the Event Venue retaining a long term lease, easement, or other legal right to a dedicated number of parking spaces elsewhere within the Project sufficient to meet the parking requirements for the Event

Venue if the Project does not include both Parking Garages in the same lot as the Event Venue.

8. Six recreational vehicles or travel buses used by the artists and their staffs for non-residential purposes may be located in the Event Venue at the location designated on the Concept Plan. Such vehicles shall not be visible from Willie Way. The Event Venue staging area shall be screened from view through structural screening and landscaping. Artist travel buses may be located within the staging areas for a maximum of 48 hours prior to and after their performance. Additional screening and landscaping of the staging areas shall be approved in conjunction with Site Plan approval.
9. The Event Venue Operator will collaborate with local Police, Fire & EMS to create Standard Operating Procedures (SOP) for each planned event type held at the Event Venue and/or inside the FBR area. Each SOP shall identify the Event Venue Operator by name, and include plans for traffic management, parking standards and management, emergency evacuation, engineering certification of any event-specific structural elements, and the contact list for Event Venue Management at a minimum. A copy of each SOP will be provided to all local Emergency Services as well as to the City Manager. An incomplete or outdated SOP is grounds for revoking a Certificate of Occupancy.
10. The Event Venue operator will meet with the city at Council's discretion, or as requested by Emergency Services, to review the Standard Operating Procedures and event calendar to update procedures as necessary. Any updates will be provided to all Emergency Services.
11. Hours of operation for uses within the Event Venue are listed in Exhibit "B." All events held in the Event Venue must end by 10:30pm on Friday and Saturday and 10:00pm on Sunday - Thursday. Use of the Event Venue outside of hours permitted shall accrue fines in 5-minute increments. Every 5-minute increment of which the Event Venue is in use outside of permitted hours shall be treated as a separate occurrence. Fines begin accruing 5 minutes from stated hours in the amount of \$1,500 per 5-minute increment and may accrue up to the maximum permitted by law.
12. A planned gathering of >500 people assembling in the Event Venue arriving or departing between the hours of 6:30am – 9:30am and/or 3:30pm – 6:30pm, Monday – Friday must provide to Event Venue Operator a traffic management plan to include: a) location of off-site parking spaces required above available onsite parking, b) copy of executed agreement for contracted spaces offsite, c) shuttle plan including pickup and drop-off locations offsite along with number of shuttles and planned route.

13. The developer shall provide the City Manager access to view real-time ticket sale/issuance information (and copies of same upon request) to verify compliance with the limitation on the maximum Attendees authorized at the Event Venue. If the report shows that ticket sales/issuance have caused the number of Attendees to exceed the maximum number of Attendees authorized by this Ordinance, then each Attendee over the maximum number shall be considered a separate violation of this Ordinance and shall be subject to enforcement and the penalties set forth in Section 1.01.009 of the City's Code of Ordinances. Provided however, that the maximum fine which may be assessed hereunder shall not exceed \$50,000 per event. The City reserves the right to perform on-site attendance counts to verify compliance with this section.
14. The Event Venue Operator shall be responsible for continuous noise monitoring at the property line throughout all events, including set-up through breakdown. Sustained noise levels shall not exceed 85db at the property line. Instantaneous spikes above 85db shall not constitute a violation of the sustained noise level limit. However, repetitive and/or multiple spikes will constitute a violation, defined as follows:
 - a. Within any two-minute window during the event, the sixth spike, and each spike thereafter, shall constitute a separate violation, which shall be subject to a \$500 fine per violation.
 - b. Additionally, there shall be no more than 10 spikes per 30-minute increment, beyond which each spike shall constitute a separate violation, which shall be subject to a \$1,000 fine per violation.

The Event Venue Operator shall be responsible for recording and reporting all violations to the City.

15. During events, including set-up through breakdown, the maximum sustained noise levels within a 5,000ft radius of Event Venue shall not exceed 75db. Instantaneous spikes above 75db shall not constitute a violation of the sustained noise level limit. However, repetitive and/or multiple spikes will constitute a violation, defined as follows:
 - a. Within any two-minute window during the event, the sixth spike, and each spike thereafter, shall constitute a separate violation, which shall be subject to a \$500 fine per violation.
 - b. Additionally, there shall be no more than 10 spikes per 30-minute increment, beyond which each spike shall constitute a separate violation, which shall be subject to a \$1,000 fine per violation.

The City of Bee Cave shall be the responsible party for monitoring for and responding to reported violations.

B. Food, Beverage & Retail (FBR)

1. Uses as described in Section IV.G.1.d

2. The FBR is an arrangement of one- and two-story buildings, housing a mix of entertainment, food and beverage, retail, community and office spaces around a central, pedestrian focused green space.
3. Scale and architectural elements of these buildings are to be sympathetic to historically inspired Hill Country vernacular architecture with a maximum gross floor area of 12,500 sq ft per building.
4. Buildings will terrace into the natural grade of the site to provide an integrated, accessible pedestrian connectivity throughout the area. Accessible routes will also connect parking areas, public streets and to the City Park.
5. Buildings should incorporate a variety of landscaping and outdoor spaces to include porches, courtyards of varying sizes, plazas, decks and park-like areas.

C. Hotel and Associated Facilities

1. Uses as described in Section IV.G.1.a
2. The Hotel area is depicted on Exhibit "B", Concept Plan. The Hotel area shall include buildings and uses consisting of a hotel up to 125 rooms.
3. The Hotel Area and uses shall be constructed and operated at the locations depicted in Exhibit B and shall not exceed the building footprint square footage or the gross area square footage depicted on the Concept Plan for each building.

D. Office Areas O1 and O2

1. Uses as described in Section IV.G.1.b are permitted uses in Buildings O1 and O2.
2. Building parameters for Areas O1 and O2, refer to the Building Information Table, Exhibit "B"

E. Parking Garage/ Office Buildings P1 and P2

1. Uses as described in Section IV.G.1.c are permitted in Building Areas P1 and P2.
2. The Parking area P1 shall provide a gated pedestrian and vehicular access road from the adjoining City Central Park to Parking P1 as depicted on the Concept Plan, unless this requirement is waived by City Council at Site Plan.
3. Parking area P1 and P2 shall be developed in accordance with the Building Information Table in Exhibit "B".

4. Parking within P1 (and temporary surface parking) will be accessible via public access easements over private drives and connected to Willie Way and shall be available for use on the weekends and after 5:00 p.m. on weekdays by the general public, at no cost. Fees may be charged to anyone attending an event at the Event Venue. Parking passes may not be sold on site at the time of the event. Public access to the garage may be restricted beginning 2 hours before and during music events.
5. Screening of the facades shall be considered for approval at site plan. No more than 50% of any garage façade may be exposed concrete. All exposed concrete shall have a minimum of one architectural design treatment, such as painting, stamping, staining, or other as approved by City Council at Site Plan. The remaining façade area shall be screened in a manner approved by City Council at Site Plan. A maintenance agreement shall be required as a condition of approval at site plan.

IV. Requirements Applicable to the Project as a Whole

A. Exterior Construction Standards

1. For purposes of application of Exterior Construction Standards, Willie Way and Street A are public roadways.
2. Articulation is not required on building facades adjacent to an interior courtyard.
3. All Exterior Construction Standards shall comply with the City's Code of Ordinances except as modified herein. The City Council may approve other materials or increased finish percentages in conjunction with either Council approval through Architectural Pre-Design Approval Process or at Site Plan.
 - a. A maximum 50% of glass on the building façade is permitted, measured per wall and is limited to 30 horizontal feet with a minimum 3' break.
 - b. Approved materials include limestone, rustic wood, stucco, brick, concrete or other stone.
 - c. Metal is approved as an exterior finish up to 10% per building elevation not including window frames or standing seam metal roof.
4. Architectural Pre-Design Approval Process. Prior to Site Plan application for any area within the Project, the developer may submit an architectural package to the City that includes scaled renderings of all four sides of each building proposed for the area and a building materials sample board. The Planning and Zoning Commission shall review the architectural pre-design submittal and shall recommend approval, approval subject to certain conditions, or disapproval. If the Commission recommends approval, with or without conditions, the architectural pre-submittal will be forwarded to Council for consideration. If the Commission recommends disapproval of architectural pre-design submittal, the Commission shall state such disapproval and the reasons therefor. The

applicant may revise and resubmit for Planning & Zoning Commission reconsideration or appeal such decision to Council pursuant to the procedures of the City's Code of Ordinances Section 32.02.006(h)(2). Approval by the Council of the pre-design application does not affect the Council's authority to approve or deny any subsequent Site Plan application for a reason other than architectural design. Site Plan applications shall be consistent with any architectural pre-design approval. In the event developer elects to forego the architectural pre-design approval process described above for any area within the Project, the architectural package shall be submitted with the corresponding Site Plan.

B. Heights

1. Building and structure height shall be measured in accordance with the City's Code of Ordinances and all buildings and structures shall not exceed the maximum heights and levels described in the Exhibit "B".
2. Building or structure height listed in the Exhibit "B" shall include the height of any parapets, mechanical equipment, elevator housing or other structural components. Flag poles or lighting fixtures shall not be included in calculation of the height.

C. Lighting

1. Excluding the Event Venue, the project will be compliant with 2015 International Dark Sky Community Guidelines, as administered by the International Dark-Sky Association (IDA).
2. Except for stage lighting, lighting within the Event Venue shall be shielded and shall comply with the City's Code of Ordinances. Other than lighting needed for security purposes, lighting within the Event Venue shall not be turned on except for events that occur within the Event Venue. Provided however, that the City Council has the authority upon the request of the developer to approve a lighting plan which deviates from the City's Code of Ordinances, and from this Ordinance, if the City Council determines that an alternate design meets or exceeds the intent of the City's Code of Ordinances. Alternate lighting plans may be considered for approval in conjunction with a Site Plan approval or amendment. Subsequent to approval by the City Council of the initial lighting plan, modifications may be administratively approved as a minor modification.
3. Lighting for the stage, lighting/sound towers, fly, amphitheater shell, and accessory stage improvements shall not be required to comply with the City's lighting requirements but shall be shielded to the extent feasible for a typical outdoor music venue.

4. Parking Garage Lighting. It is the purpose of this section to create standards for parking garage lighting design that will minimize glare, light trespass, light pollution and urban sky glow and curtail the degradation of the overall nighttime visual environment. Parking structure lighting systems are to follow the most recent edition of the IESNA RP-8 *Recommended Practice for Design and Maintenance of Roadway and Parking Facility Lighting*. Parking garage structures shall comply with the following:
 - a. Utilize fixtures with appropriate photometric distribution and accessories to minimize direct view of the light source from the exterior of the parking structure. Fixtures are to be aimed away from the structure exterior and are not to be mounted on the exterior perimeter of the structure top (open) parking decks and lower levels of the parking structure. Fixtures with good optical control shall be utilized to distribute light in the most effective and efficient manner.
 - b. The parking structure lighting control system must dim light levels in the structure during post-curfew hours and during times of inactivity by a minimum 50% or per RP-8, whichever is more. Curfew hours are defined in the General Requirements section, Section 32.05.012 (c)(4). Lighting for pedestrian security areas where pedestrians are expected to congregate (lobby's, transaction areas, entrances/exits, stairwells, elevator lobbies, and others as described by RP-8) are exempt from dimming requirements.
 - c. Parking garage light fixtures shall be Metal Halide, fluorescent or LED outdoor light fixtures with a Kelvin Temperature rating not over 3500K with a variance range no more than 150K.
 - d. A parking garage design shall block the direct view of the light sources when viewed from outside the parking structure, either by fully shielding light fixture(s) from view and/or a façade design developed in a manner so as to obstruct direct view of the light source. Lighting within the parking garage shall be shielded and constructed flush with the ceiling (not recessed).
 - e. In the event there is a conflict with the preceding standards in this subsection and meeting the 2015 Dark Sky Community Standards as required by the IDA, the IDA requirements shall prevail.
5. Construction, emergency or special event/holiday decorative lighting is allowed, provided that the lighting is temporary, and is discontinued within seven (7) days upon completion of the project or special event and fourteen (14) days upon the completion of the holiday for which the lighting was provided.
6. Pedestrian lighting along all roadways, trails and pathways will be reviewed as part of the corresponding Subdivision Construction Plan or Site Plan.

D. Parking and Loading Zones

1. Parking requirements shall be determined in accordance with the City's Code of Ordinances with the exception of the Event Venue parked at 1 space for every 2.7 seats, plus 1 employee space per 80 seats. City Council may approve a reduction to parking ratios at their discretion if the Developer provides; a) executed contracts for satellite parking and/or b) sufficient evidence of reduced demand attributed to ride sharing. Executed contracts for satellite parking may reduce onsite parking requirements whereby every 1.2 contracted spaces developer will offset onsite parking by 1 space.
2. If Offsite parking is utilized, shuttle service is not required for spaces located within 0.5 miles of the entrance of the Event Venue and connected by the City's regional trail system or by a continuous pedestrian access easement(s) that are adequately improved, as may be determined by the City Engineer prior to issuance of the Certificate of Occupancy for the Event Venue. All other offsite parking arrangements must provide shuttle service.
3. Event Venue Operator is to provide a traffic management plan within each Standard Operating Procedure, as defined in section III.A.10, to include:
 - a. Designated drop off and pickup area for ride sharing
 - b. Shuttle service plan, either contracted or run internally to include the routes, number of vehicles to be used, frequency of routes, general location of shuttle drop-off and pickup locations and location of van or bus storage when not in use.
4. Loading zones shall not be visible from Willie Way or Street A with the exception of a loading zone servicing the buildings facing, and south of, Willie Way which may be approved at site plan so long as they are designed to not impede the flow of traffic.

E. Water Quality and Detention Ponds

1. Water quality and detention facilities shall be authorized within the landscape buffer zone on Bee Cave Parkway and setbacks as depicted on the Concept Plan. Dry water quality and detention ponds shall be considered pervious so long as they are not constructed with a liner. Wet ponds constructed with a liner shall also be considered pervious so long as they are constructed and operated as wet amenity ponds.
2. The pond in the SE corner of the Property, as generally located on the Concept Plan, shall be designed to function and operate as a landscaped amenity feature with seating areas and views available from contiguous trails.
3. Future subdivision of the Property, if any, shall be contingent on each Lot obtaining an easement for water quality runoff and conveying storm water capture and detention into

the applicable water quality pond and storm water detention facilities serving the Lot being subdivided.

4. Opens spaces and storm water/non-point source re-irrigation areas may also be used for disposal of water from the ponds so long as 1) signage concerning the type of stormwater being used is appropriately displayed, 2) no pesticides, fertilizers or herbicides are used in the same areas, 3) so long as a secondary rain-sensitive irrigation system is used to maintain vegetation during dry periods, 4) and so long as operations between irrigation of storm water and irrigation with treated effluent is in accordance with all state and federal environmental requirements.

F. Impervious Cover

1. The existing impervious cover created by the initial construction of Bee Cave Parkway shall not count as impervious cover of the Project. In addition, the Project shall be entitled to claim $\frac{1}{2}$ of the area encompassed by Bee Cave Parkway directly adjacent to the Property (the "Parkway Area") as if such area was included as part of the Property. Therefore forty percent (40%) of the Parkway Area (40,250 square feet) may be added as impervious cover to the Project. Future approval must be obtained from the City for a transfer of off-site impervious cover. Such off-site transfer of impervious cover will be considered by City on a one to one basis (instead of three to one as required by the City's Code of Ordinances). Impervious cover for the Project shall not exceed a maximum of forty percent (40%) impervious cover, plus applicable credits and transfers as described herein. An additional impervious cover credit of five percent (5%) shall be authorized for construction and operation of a rainwater harvesting system for some or all buildings constructed in the Project in accordance with the City's Code of Ordinances. City Council may approve an impervious cover credit at Site Plan for pervious pavers of varying materials, if used in the restricted fire lanes. Public roadways (Willy Way and Street A), trails and sidewalks that function as part of the City's regional trails and sidewalks system and are generally in the locations depicted on the Concept Plan shall not count against the Project's impervious cover maximum. However, water quality treatment for all public roadways, trails, and sidewalks shall be provided by for the project, pursuant to the City's Code of Ordinances.
2. In Ordinance No. 212, a transfer of impervious cover up to 44,483 square feet from the property described in Exhibit A-2 to the Property described for this Project was approved by the City and remains in effect.
3. The total amount of impervious cover available on this Project includes 40,250 square feet of credit from Bee Cave Parkway, the 40% allowed to the Property by the City's Code of Ordinances, the 5% credit for rain water harvesting and the transfer from the Old Backyard Property (Exhibit A-2), totals up to 773,547 square feet, depending on the

ultimate amount of impervious cover transferred from the Old Backyard Property(Exhibit A-2).

4. Future subdivision of the Property, if any, shall be contingent on an allocation of available impervious cover being apportioned between the various lots so that the Project can be constructed in accordance with the Concept Plan and the impervious cover limits applied to individual lots. Individual lots may exceed the impervious cover limits established in subsection 1 above so long as the Project as a whole does not exceed the impervious cover limits set out in subsection 3.
5. The Project shall not be responsible for the capture and treatment of any overland flow across the Property resulting from Bee Cave Parkway. The Project shall be responsible for controlling runoff created by development of the Project so that drainage off site after development of the Project shall not be greater than off site drainage existing prior to development of the Project.

G. Uses

1. Uses shall be as defined by the City's Code of Ordinances, except as modified herein.
 - a. Building Areas: Hotel
 - i. The following uses shall be Permitted: Hotel Use. Hotel Use is defined as a commercial establishment providing nightly accommodation and, as supporting services and functions to the guests, Exhibit Hall, meeting rooms and event spaces, spa, pool, business center, bar, restaurant, and fitness services.
 - ii. The following uses shall be Permitted as Incidental or Accessory constituting an area, considered individually, not more than 15% of the of the Gross Floor Area of the Hotel Use: Bakery, General Retail, Bar, Restaurant, Dance Hall, Museum, and Park and/or playground.
 - b. Building Areas: O1, O2
 - i. The following uses shall be Permitted: Offices, Professional and General Business, and Philanthropic Organizations.
 - ii. Retail Services (Incidental) uses as defined by the City's Code of Ordinances shall be permitted in O1 and O2.
 - c. Building Areas: Parking P1 and Parking P2
 - i. The following uses shall be permitted: Parking
 - ii. Restaurant use may be permitted in Parking Area P2
 - d. Building Areas: Event Venue and FBR

- i. The following uses shall be Permitted: Outdoor music and performing arts events, Restaurants, Retail Shop and General Retail Stores.
 - ii. The Areas may be used for Special Events such as banquets, meetings, celebrations, gatherings, weddings and other similar events in accordance with these Development Standards and so long as the event conforms with the operation requirements cited in Section III.A.
- e. The following uses are prohibited within the District:
- i. Bed and Breakfast Inn
 - ii. Caretaker's/Guard's Residence
 - iii. Cemetery and/or Mausoleum
 - iv. Country Club
 - v. Extended Stay Hotels/Motels
 - vi. Farms - General (Crops and Livestock/Ranch)
 - vii. Golf Course
 - viii. Kiosk or Recycling
 - ix. Mini-warehouse/Self storage
 - x. Orchard/Crop Propagation
 - xi. School, K thorough 12 - Public, Private, or Vocational
 - xii. Security Quarters Associated with a Business
 - xiii. Team Sports Facility
- f. Contractors shall each be allowed to have a Temporary On-site Construction Office at the locations depicted and approved by Site Plans. Temporary On-site Construction Offices shall be permitted when there is active construction on a site and shall be removed within 30 days of final site acceptance or Certificate of Occupancy, whichever comes first.
- g. The permissibility within the Project of new or unlisted uses, defined as those uses not listed in this section or within the City's Code of Ordinances Section 32.04.001, shall be determined by the process outlined in City's Code of Ordinance Section 32.04.001(d).

- h. The conversion of any Building Area from a use specifically approved herein to a different use shall require an amendment to the zoning ordinance.

H. Landscaping

1. Except for the Bee Cave Parkway median Landscape Plan, which is attached hereto as a part of Exhibit "B", all other landscaping requirements applicable to any portion of the Project shall be considered for approval when the Site Plan applicable to that portion of the Project is submitted for approval and shall be in accordance with the City's Code of Ordinances unless otherwise modified herein. Landscaping in the Enhanced Areas and Hilltop Gardens shall receive landscaping credit toward the landscaping requirement for the Project as a whole.
2. Landscaping must be provided to: (i) substantially screen utilities and sound/lighting towers to the extent feasible; (ii) substantially screen the areas behind the stage and in particular the areas designated as parking for the artist travel and equipment trucks/buses (iii) substantially screen the Music Venues from the City Central Park which adjoins the Music Venues; (iv) screen storage areas.
3. Except as otherwise set out in herein, the Project shall comply with the landscape requirements of the City's Code of Ordinance. The areas marked on the Concept Plan as Enhanced Landscaping shall comply with the following: 2X the caliper inches required by the City's Code of Ordinances with no more than 1/3 of the caliper inches fulfilled by utilizing trees less than 3 caliper inches at planting measured at four and one-half feet (4-1/2') from base of tree.
4. New landscaping within the 75' buffer of the Property and at the City Central Park entry medians shall be regionally adapted, drought tolerant species per the City of Austin "Native and Adapted Landscape Plants Manual".
5. Willie Way will be required to have 4" (minimum) caliper street trees as measured four and one-half feet (4-1/2') from the base of the tree, at an average spacing of 40' on center for the entirety of the roadway on both sides of the street within the property line. The trees shall be planted within a landscape zone defined as 10' from the front of curb. A case by case exception may be made to accommodate preservation of existing trees. A 6' minimum sidewalk for pedestrian circulation will be located outside of but generally adjacent to the building side of the landscape zone, as depicted in Exhibit B. Where an existing tree is able to be preserved in place within this zone, it shall satisfy the tree requirement for 1 street tree.

6. Two water wells may be used for supplemental irrigation for on-site landscaping and to supplement water to maintain amenity ponds at their permanent pool elevation. Location of the wells shall be considered for approval at site plan
7. Trees that are located in areas that are not intended to be disturbed until construction in Phase II shall not be removed until construction of Phase II.
8. Unless waived by City Council at site plan, the Project shall be required to construct a wall or fence between the Property and the City Central Park. The construction requirements, type of fencing and vegetative screening shall be approved at Site Plan.
9. The Project shall be required to provide enhanced entryway landscaping within the adjoining City Central Park in the area depicted on the Concept Plan; within the 75-foot buffer area along Bee Cave Parkway from 365' West of Willie Way to the eastern property boundary. City and developer shall enter into a separate license agreement for approval of the design and construction of the enhanced landscaping areas located on City property which will include the ability to temporarily irrigate the areas to establish the plantings. The Agreement will provide for a temporary construction easement to the Developer for the purpose of constructing these improvements and will provide for the City to be named as an additional insured and indemnified against liability for the construction. Upon completion of construction the City will maintain the improvements.
10. At Site Plan, City and developer shall enter into a separate agreement for approval of the design, construction and maintenance plan for the landscaping (and any applicable irrigation facilities) within the medians of Bee Cave Parkway. The Agreement will include a maintenance plan and provide for a temporary construction easement to the Developer for the purpose of constructing the landscaping and other improvements and will provide for the City to be named as an additional insured and indemnified against liability for the construction and will provide for a license agreement to the developer to authorize maintenance of the improvements. Upon completion of the landscaping, the City will inspect the improvements and if the improvements are accepted, the Developer shall be responsible for the maintenance of the improvements from the date of acceptance for a period of 15 years. If a landscape plan which uses only drought tolerant plants is implemented, irrigation facilities will not be required to be installed.

I. Setbacks

1. The Project will meet the requirements of the 75' setback along Bee Cave Parkway with the exception of the embankments of the water quality pond, the fence adjacent to Bee Cave Parkway, trails, and Hilltop Garden.

2. The Project will provide a minimum ten (10') foot front yard setback on Commercial Driveways. The Project shall meet a minimum setback of fifteen (15) feet adjacent to Willie Way and Street A. Overhangs, awnings, decks, stairs, retaining walls and seating areas for the purposes of shade and shelter at pedestrian entrances are exempt from setbacks. Underground utilities may be placed within the setbacks. All utilities, including pressurized utilities, may be located under sidewalks or within front setback between right of way and buildings adjacent, however pressurized underground utilities must be no closer than 10' from trees unless an exception is provided from the corresponding utility provider. Utilities may be located beneath street pavement.
3. The Project will provide a twenty-five (25') foot building setback on the exterior Project boundary lines to the east, west and south Property lines. No parking or streets/driveways (except crossings) are allowed within 7.5' of the Property line to the east and west and 15' to the south Property line. Water quality and storm water detention ponds must be set back a minimum of 7.5' from the West, South and East Property lines and 75' from the Northern boundary except as permitted in paragraph 1 above. Pond retaining walls, Outfall Structures, Level Spreaders and other associated storm water discharge and velocity dissipation devices shall be permitted within the Building Setback as long as such structures do not extend more than 3' above natural grade. Fencing and screening required by the City's Code of Ordinances shall also be permitted within the 25' building setback.

J. Streets and driveways

1. Commercial Driveways within the PDD shall be permitted for site circulation in conjunction with Site Plan approval. Public streets shall include Willie Way and Street A as depicted in the Concept Plan. All other vehicular circulation and parking areas depicted in the Concept Plan shall be designed to the City's Code of Ordinances. Dead-end streets with approved turnaround or connection to a Commercial Driveway for turnaround shall be permitted.
2. The PDD shall be allowed up to one public access point from Bee Cave Parkway and up to one private driveway with emergency vehicle, waste removal vehicle, delivery vehicle, and bus access as depicted on the Concept Plan. A second public access roadway from the Project to Highway 71, across any adjacent property, is required as a condition to increase the permitted number of Attendees above 2,000 per event. A third limited public access point shall be provided between the City Central Park and Parking Area P1. Terms and conditions of access between the City Central Park and the Project shall be considered for approval in conjunction with Phase I Site Plan approval, unless deferred by City Council and shall include, but not be limited to a requirement for the vehicular and pedestrian access points to be gated at the discretion of Council at site

plan, the operation of which is to be controlled by the City unless otherwise authorized by City Council.

3. Traffic Impact Analysis is required in conjunction with Phase I Site Plan. Developer shall construct at its sole cost and expense, or deposit its pro rata share, whichever process the City approves at Site Plan for all roadway and signalization improvements described in the TIA. The Traffic Impact Analysis shall be updated throughout development of the Project whenever a Site Plan application is submitted for approval.
4. Construction Traffic Control Plans during all phases shall be submitted and approved in conjunction with all Subdivision Construction Plans and Site Plans.
5. A traffic control and event security plan shall be provided prior to receiving a CO and/or updated at the time there is a connection to Highway 71 and the venue is requesting to operate at full capacity. The plan shall provide for limited delay in entering the Property; a minimum of 2000' or as approved at site plan for vehicular stacking off of Willie Way; Event Venue and office peak travel times that do not conflict; during events, a dedicated staging area within or near to the Event Venue area for emergency vehicles; and integration of traffic pre-emption technology for emergency services at the signalized intersection at Willie Way and Bee Cave Parkway. These requirements must be demonstrated in accordance with Phase II Site Plan and future site plans associated with an increase of Attendees at the Event Venues, and may be amended from time to time upon administrative approval, if it meets or exceeds the requirements herein in order to increase/enhance the security plan.

K. Pedestrian Connectivity

1. There shall be a minimum of 2 pedestrian crossings on Willie Way to facilitate access to the property. Locations and design to be determined with the Phase I Site Plan.
2. Trails shall be constructed in the general location as depicted on the Concept Plan. Trails connecting to City trails shall have a minimum width of 6 feet along Willie Way and 10' elsewhere unless an alternative width is approved by Council at Site Plan. All trails shall be constructed as a stabilized surface with the exception of the trails surrounding the amenity pond in the southeast corner and throughout the Hilltop Garden in the Northwest corner which may be alternatively constructed with decomposed granite.
3. All open space, parks and trails located within the Project shall be accessible to the public, but will be privately maintained by the Project. Public access easements for trails shall be considered by the City in conjunction with the Phase I Site Plan.

4. An easement will be provided to the City on the Old Backyard Property (Exhibit A-2) for a publicly accessible pedestrian bridge landing, trails and open space. The Developer is not responsible for the construction of the bridge.

L. Open Spaces and Parks

1. Design intent for the Hilltop Garden and Promenade is included in Exhibit B with full design including layout and landscaping to be approved with Phase 1 Site plan.
2. The Hilltop Garden and Promenade shall be located as depicted on the Concept Plan. The Hilltop Garden shall be accessible to the public without charge or fees. Parking for the Hilltop Garden will be provided by surface parking adjacent to the site. A decorative stone or metal fence in compliance with code shall be constructed between the Hilltop Garden and parallel to Bee Cave Parkway and shall continue down the slope toward the eastern property line until the property adjacent to Bee Cave Parkway levels out. The fence may be constructed within the 75-foot buffer zone.
3. The Hilltop garden shall include trails connected to the City trails, plantings and gathering spaces. The Hilltop Garden shall afford at least one vantage point with an unobstructed view over the Property to the South.
4. All open space and parks located within the Project will be privately maintained by the Project but may be dedicated to the City pursuant to a separate mutually acceptable written agreement between City and developer or may be provided by public access easement. Public access easements for trails shall be considered by the City in conjunction with the first site plan.
5. A minimum of twenty percent (20%) of the gross land area identified in Exhibit A-1 shall be devoted to open space, consistent with the open space recommendations in the City's Comprehensive Plan.
6. Areas that can be counted toward open space include, but are not limited to, the 75' landscape buffer along Bee Cave Parkway, all re-irrigation fields, and the area of Old Backyard, as described in Exhibit A-2, provided that 90% or greater of the impervious cover associated with the Old Backyard has not been transferred to an alternate property.

M. Additional Performance Standards

1. All trash dumpsters, loading areas, any surface mounted equipment, outdoor storage and water wells shall be screened from view in accordance with the City's Code of Ordinances, unless otherwise approved by City Council at Site Plan.

2. A property management company, property owner's association or similar association or entity shall be created for the purpose of managing the Project on an on-going basis and for being responsible for compliance with the development standards and other requirements associated with this Project. The management company or association shall be authorized to enforce compliance on individual lot owners and shall ensure the upkeep and maintenance of property and facilities constructed for the benefit of the Project as a whole. This entity will be the entity responsible for compliance of the Project and with any permits or agreements between the City and the Project. Documents necessary to establish the company or association shall be reviewed and approved by the City in conjunction with plat or Site Plan approval, as applicable, to ensure that they conform to these and other applicable City ordinances. The documents shall be filed of record with the Travis County Clerk in order to ensure that there is an entity in place for long-term management of the Project.
3. "Minor Modifications" of the Concept Plan and/or Site Plan as defined by the City's Code of Ordinances for the Project may be approved administratively by the City Manager provided such modifications would not otherwise result in a violation of the City's Code of Ordinances, except as modified herein; a violation of specific Development Standards described herein; an increase in the amount of impervious cover or an increase in Annual Pollutant Load; or additional encroachments into the setbacks established for the Property.
4. The Project shall be maintained clean from litter. A litter management and control program for the project shall be subject to review and approval by the City Manager.
5. Utilities located along Bee Cave Parkway, Highway 71 and within the boundaries of the Project shall be buried.
6. In the event that the location of streets, driveways, parking, utilities, or water quality or detention ponds, drainage ways or lot lines, are subsequently approved by the City Council in association with plat approval or Site Plan approval, such changes shall be authorized herein without the need for an amendment to the Concept Plan or these development standards.
7. Easements associated with infrastructure improvements contemplated in this Ordinance may be established by separate instrument. The easement locations will be further defined at the time of Site Plan approval.
8. Unless specified elsewhere in the document, hours of operation for food service establishments, including but not limited to restaurants, bars, bakeries, and cafes, are limited to 6:00am – 11:30pm Sunday through Thursday and 6:00am – 12:30am Friday through Saturday. In the event the hours of operation for food service establishments,

including but not limited to restaurants, bars, bakeries, and cafes, are extended in the base Office District in the City's Code of Ordinances subsequent the date of adoption of this Ordinance, said uses in the Project are automatically eligible to expand their hours of operation a corresponding amount without need for a PDD amendment.

9. Event Venue hours of operation for federal and local holidays, as designated by the City, shall be consistent with Saturday hours.
10. The project is eligible to request a sign package that improves internal wayfinding to the Event Venue and public amenities.

13801 BEE CAVE PARKWAY BEE CAVE, TX 78738

A NEW BUILDING FOR

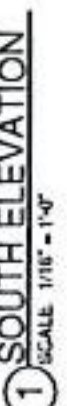
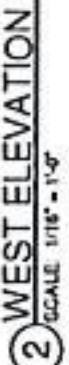
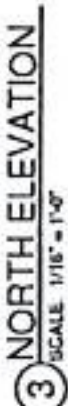
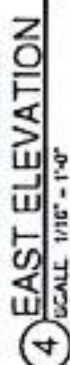
studio | steinbomer

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ПОТВОРЕНИЕ

PRELIMINARY



A-000

EXTERIOR ELEVATIONS

DATE	Issue Date
DRAWN	6/18
SCALE	AS NOTED

SCHEMATIC DESIGN